

2006 – 2007  
November 2006 Volume 6



**CABINET  
AND  
COUNCIL  
MINUTES**



# CABINET AND COUNCIL MINUTE BOOK

VOLUME 6: NOVEMBER 2006

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*[\*Notes: (1) A meeting of the Personnel Appeals Panel which had commenced on 24 July 2006 was reconvened on 23 November 2006, but the meeting was adjourned again and is currently due to reconvene on 18 December 2006. The minutes of that meeting will be included in the Minute Volume for the month in which the meeting is concluded;*

*(2) The Strategic Planning Advisory Panel was renamed the Local Development Framework Panel at the November Cabinet meeting].*

COUNCIL  
AND  
COUNCIL  
COMMITTEES



STRATEGIC  
PLANNING  
COMMITTEE





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**REPORT OF STRATEGIC PLANNING COMMITTEE**


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**MEETING HELD ON 8 NOVEMBER 2006**


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Chairman: \* Councillor Marilyn Ashton

Councillors: \* Don Billson \* Narinder Singh Mudhar  
 \* Mrinal Choudhury \* Joyce Nickolay  
 \* Keith Ferry \* Dinesh Solanki (3)  
 \* Thaya Idaikkadar

\* Denotes Member present  
 (3) Denotes category of Reserve Member

[Note: Councillor Mrs Kinnear also attended this meeting to speak on the item indicated at Minute 5 below].

**PART I - RECOMMENDATIONS - NIL**
**PART II - MINUTES**
**1. Appointment of Chairman and Membership of the Strategic Planning Committee:**

**RESOLVED:** To note (1) the appointment of Councillor Marilyn Ashton at the meeting of the Council on 19 October 2006 under the provisions of Council Procedure Rule 1.1 (xii) as Chairman of the Strategic Planning Committee for the Municipal Year 2006/07;

(2) the membership of the new Strategic Planning Committee.

**2. 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 Manji Kara	Councillor Dinesh Solanki

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

Nominations were received and seconded for Councillors Thaya Idaikkadar and Joyce Nickolay. Having been put to a vote it was

**RESOLVED:** To appoint Councillor Joyce Nickolay as Vice-Chairman of the Strategic Planning Committee for the Municipal Year 2006/07.

**4. Briefing Paper for the First Meetings of the Strategic Planning Committee and the Development Management Committee:**

The Committee considered a briefing paper in relation to the above.

A Member expressed the view that Councillors and members of the public who worked in the daytime might find it difficult to attend meetings at 6.30pm, and proposed a later start time. The Member also requested that Member briefings for the meetings be held at a time that was convenient for all members of the Committee. In response, the Chairman referred to the very late finish times that had sometimes been experienced by the Development Control Committee, and explained that the earlier start time would enable meetings to finish no later than 11.00pm, which would benefit Councillors, officers and members of the public. The Chairman agreed that she would endeavour to take into consideration all Members' needs when organising briefings but emphasised that it was unfair to expect officers to work evenings to accommodate Member briefings. The Chairman added that the Council was facing budgetary constraints and therefore had to take into account the cost of evening briefings.

**RESOLVED:** That (1) in order to ensure compliance with the requirement to finish meetings no later than 11.00pm, the Committee would consider carefully whether to commence any new business/item after 10.00pm and, if necessary, defer business rather than risk not completing the consideration by 11.00pm;

(2) the terms of reference of the Strategic Planning Committee and the Development Management Committee be noted;

(3) the definitions of 'major' and 'minor' contained within the briefing paper be endorsed and noted in relation to the distinction in the terms of reference of the two committees;

(4) the proposed meeting dates for the two committees, provided to Council on 19 October 2006, be endorsed and noted;

(5) it be noted that there would be a single briefing for all members of the Committee;

(6) it be noted that officers would be consulting Members on potential revisions to the Scheme of Delegation.

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

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

Councillor Mrs Kinnear                      Planning Application 1/06

6. **Declarations of Interest:**

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

Planning Application 2/01 – The Vine Public House, Stanmore Hill, Stanmore  
Councillor Thaya Idaikkadar declared a prejudicial interest in the above application arising from the fact that he had been a member of a Licensing Panel which had considered a licensing application for the premises. Accordingly, he left the room and took no part in the discussion or decision-making on the item.

7. **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>
Addendum	This contained information relating to various items on the agenda and was based on information received after the agenda's despatch. It was admitted to the agenda in order to enable Members to consider all information relevant to the items before them for decision.

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

8. **Minutes:**

**RESOLVED:** That (1) the Chair be given authority to sign the minutes of the meeting held on 5 October 2006 of the Development Control Committee (being the predecessor body to this Committee for the consideration of major matters) as a correct record once printed in the Council Bound Volume;

(2) the minutes of the meeting held on 17 October 2006 of the Development Control Committee be considered at the 23 November 2006 meeting of the Development Management Committee (being the successor body to that Committee for the consideration of minor matters).

9. **Public Questions:**

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

10. **Petitions:**

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

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11. **Deputations:**  
**RESOLVED:** To note that no deputations were received at the meeting under the provisions of Committee Procedure Rule 17.
12. **References from Council and other Committees/Panels:**  
**RESOLVED:** To note that there were no references from Council or other Committees or Panels received at this meeting.
13. **Representations on Planning Applications:**  
**RESOLVED:** To note that no requests for representations in respect of planning applications on the agenda had been received.
14. **Planning Applications Received:**  
**RESOLVED:** That authority be given to the Head of Planning to issue the decision notices in respect of the applications considered, as set out in the schedule attached to these minutes.
15. **Planning Appeals Update:**  
The Committee received a report of the Head of Planning which listed those appeals being dealt with and those awaiting decision.  
**RESOLVED:** To note the report.
16. **Member Site Visits:**  
**RESOLVED:** To note that there were no Member site visits to be arranged.  
(Note: The meeting, having commenced at 6.30 pm, closed at 8.35 pm).

(Signed) COUNCILLOR MARILYN ASHTON  
Chairman

**SECTION 1 – MAJOR APPLICATIONS**

<b>LIST NO:</b>	1/01	<b>APPLICATION NO:</b>	P/1225/06/CFU
<b>LOCATION:</b>	The Flying Eagle Public House, Mollison Way, Edgware		
<b>APPLICANT:</b>	DWA Architects Limited for Lukka Care Homes Limited		
<b>PROPOSAL:</b>	Outline: Redevelopment to provide part 2/part 3 storey residential care home with 53 bed spaces and 7 car parking spaces.		
<b>DECISION:</b>	(1) GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported, as amended on the Addendum.  (2) RESOLVED that that the "reserved matters" referred to in Condition 8, to include fixed seating, be submitted to the Strategic Planning Committee for approval.		
<b>LIST NO:</b>	1/02	<b>APPLICATION NO:</b>	P/803/06/CFU
<b>LOCATION:</b>	31 Warren Lane, Stanmore		
<b>APPLICANT:</b>	Crest Nicholson (Chiltern) Ltd		
<b>PROPOSAL:</b>	Construction of conservatory extensions to 17 'A' type houses approved under reserved matters ref: P/1650/05/CDP for 90 x 2/2.5 storey houses, 108 flats in 3 x 4 storey blocks, underground parking, roads and open space (amendment to P/1650/05/CDP)		
<b>DECISION:</b>	GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.		
<b>LIST NO:</b>	1/03	<b>APPLICATION NO:</b>	P/2363/06/CFU
<b>LOCATION:</b>	62/64 Station Road, Harrow		
<b>APPLICANT:</b>	Michael Seston for Balbir Deol		
<b>PROPOSAL:</b>	Conversion from 4 to 11 flats with part single part two storey rear extension, loft conversion and rear dormer window (resident permit restricted)		
<b>DECISION:</b>	GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported, and Condition 6 being amended to specify that landscaping is to include the front as well as the back area.		
<b>LIST NO:</b>	1/04	<b>APPLICATION NO:</b>	P/2459/06/CFU
<b>LOCATION:</b>	The Old Coach Works, R/O 1-7 Whitefriars Drive, Harrow Weald		
<b>APPLICANT:</b>	Omar Shahzadah for Apple Four Ltd		
<b>PROPOSAL:</b>	Construction of block of 10 flats with parking and landscaping		
<b>DECISION:</b>	WITHDRAWN by the applicant.		
<b>LIST NO:</b>	1/05	<b>APPLICATION NO:</b>	P/2414/06/CFU
<b>LOCATION:</b>	186-194 Pinner Road, Harrow		
<b>APPLICANT:</b>	Wayne Glaze: Hawkinsbrown Architects for David Samson		
<b>PROPOSAL:</b>	Construction of 14 flats and A2 unit		
<b>DECISION:</b>	GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported, as amended on the Addendum.		

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**LIST NO:** 1/06                      **APPLICATION NO:** P/1995/06/CFU

**LOCATION:** Clementine Churchill Hospital, Sudbury Hill

**APPLICANT:** Nai Fuller Peiser for BMI Healthcare

**PROPOSAL:** Alterations to undercroft, change of use from car park to hospital, construction of multi-decked car park, alterations to access routes and landscaping

**DECISION:** DEFERRED to (1) await the response from the Greater London Authority; and  
(2) enable officers to superimpose the building envelope onto the plans.

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**LIST NO:** 1/07                      **APPLICATION NO:** P/2654/06/CFU

**LOCATION:** 50-54 Northolt Road, South Harrow

**APPLICANT:** Hayley Ellison for Greendev (Harrow) LLP

**PROPOSAL:** Redevelopment: Part 3, part 5 storey building and 6<sup>th</sup> storey penthouse to provide 25 flats, car parking, cycle parking and associated landscaping

**DECISION:** INFORM the applicant that:

(1) The proposal is acceptable subject to the completion of a legal agreement within three months (or such period as the Council may determine) of the date of the Committee Decision on this application relating to:

(i) Prior to the commencement of development, submission to and approval by the Local Planning Authority of a scheme which:

(a) provides affordable housing 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 and approved by the Local Planning Authority prior to the commencement of works on the site;

All affordable housing units shall be provided in accordance with the definition of affordable housing set out in the 2004 Harrow Unitary Development Plan.

(ii) Payment of a planning administration fee of £500 within 14 days of the execution of the agreement.

(2) A formal decision notice granting permission for the development described in the application and submitted plans, subject to the planning conditions and informatives reported, and amended on the Addendum, will be issued only upon the completion, by the applicant, of the aforementioned legal agreement.

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**LIST NO:** 1/08                      **APPLICATION NO:** P/1827/06/CFU

**LOCATION:** 320-336 Honeypot Lane, Stanmore

**APPLICANT:** Mr A Cox for Mr & Mrs D Barry

**PROPOSAL:** Formation of five flats in roofspace, second floor extension, three storey side extension and construction of block of six flats

**DECISION:** REFUSED permission for the development described in the application and submitted plans, as amended on the Addendum, for the reasons reported.

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

**LIST NO:** 2/01                      **APPLICATION NO:** P/2149/06/CCO

**LOCATION:** The Vine Public House, Stanmore Hill, Stanmore

**APPLICANT:** Mackenzie Architects for Raw Lansan Ltd

**PROPOSAL:** Retention of air extractor unit on north west elevation

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

[Note: The above planning application was considered by the Development Control Committee at its meeting on 17 October 2006, when the Committee resolved to defer the application for a Member site visit to be held on 18 November 2006. Having been advised by officers that the application had since been amended, the Strategic Planning Committee resolved to determine the application at this meeting, without a site visit].

(See also Minute 6).

**SECTION 3 – CONSULTATIONS FROM NEIGHBOURING AUTHORITIES**

**LIST NO:** 4/01                      **APPLICATION NO:** P/CNA07

**LOCATION:** Northwick Park Golf Course, Watford Road within the Borough of Brent

**PROPOSAL:**

1. Retention of advertising (06/0667)
2. Retention of caged baseball batting court and kiosk and associated floodlighting and landscaping (06/0762)
3. Retention of hard surface and lighting to the north of the club house to create an overflow car park (06/0768)
4. Retention of adventure golf facility including external lighting and landscaping (06/0769)

**DECISION:** RESOLVED to (1) OBJECT to the developments; and

(2) endorse the letters sent to Brent Council and the Government Office for London.

**SECTION 5 – PRIOR APPROVAL APPLICATIONS**

**LIST NO:** 5/01                      **APPLICATION NO:** P/2759/06/CDT

**LOCATION:** Uxbridge Road Footway (North Side) adjacent to 11 Limesdene Close and 1 Woodhall Gate

**APPLICANT:** Mason D Telecoms

**PROPOSAL:** Telecommunications development prior approval determination of siting and appearance: 8M high mast with two antennae and ancillary equipment housing

**DECISION:** RESOLVED, subject to consultation responses, to REFUSE prior approval of details of siting and appearance for the development described in the application and submitted plans for the reason reported.

OVERVIEW AND  
SCRUTINY  
COMMITTEE





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**REPORT OF OVERVIEW AND SCRUTINY COMMITTEE**


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**(SPECIAL) MEETING HELD ON 14 NOVEMBER 2006**


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Chairman: \* Councillor Jean Lammiman

<p>Councillors: * Archie Foulds (3) * B E Gate * Salim Miah * Jerry Miles * Christopher Noyce</p>	<p>* Richard Romain * Anthony Seymour * Navin Shah (4) * Dinesh Solanki (1) * Mark Versallion</p>
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\* Denotes Member present  
(1), (3) and (4) Denote category of Reserve Members

[Note: Councillors David Ashton and Chris Mote also attended this meeting to speak on the item indicated at Minute 55 below].

**PART I - RECOMMENDATIONS - NIL**
**PART II - MINUTES**
**50. 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 Myra Michael	Councillor Dinesh Solanki
Councillor Mitzi Green	Councillor Archie Foulds
Councillor Mrs Rekha Shah	Councillor Navin Shah

**51. Declarations of Interest:**

**RESOLVED:** To note that the following interests were declared:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
6. Question and Answer Session with the Leader, the Deputy Leader and the Chief Executive	Councillors Chris Mote, Richard Romain, B E Gate, Dinesh Solanki, Navin Shah	The Members indicated personal interests set out below and remained in the room to ask questions, respond to the questions and listen to the responses:-

Councillor Chris Mote (Leader) – His brother and son were disabled badge holders, his brother was in receipt of disability benefit and Councillor Mote also indicated that he was the Vice-President of Harrow and Wealdstone Swimming Pool.

Councillor Richard Romain – He was a disabled badge holder.

Councillor B E Gate – A relative was in receipt of Council Tax discount as a single occupant of a property in Harrow.

Councillor Dinesh Solanki – His daughter was visually impaired and a blue badge holder.

Councillor Navin Shah – He was an Executive Member of the

Harrow Council for Racial Equality and a Member of the governing body of Glebe School.

52. **Arrangement of Agenda:**

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

<u>Agenda Item</u>	<u>Special Circumstances / Grounds for Urgency</u>
6. Question and Answer Session with the Leader, Deputy Leader and the Acting Chief Executive – List of Questions	This document contained the questions, which were not available at the time of the circulation of the agenda as the questions were being constructed. Members agreed to consider the questions, which related to the main item on the agenda and was the purpose for which the special meeting had been convened.

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

53. **Minutes:**

**RESOLVED:** That the minutes of the meetings held on 18 July 2006 and 10 October 2006 be deferred to the next ordinary meeting of the Committee.

54. **Deputations:**

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

55. **Question and Answer Session with the Leader, Deputy Leader and the Acting Chief Executive:**

The Chairman welcomed the Leader and the Deputy Leader of the Council and the Acting Chief Executive to the meeting. She stated that the Overview and Scrutiny Committee was an independent Committee and that it was intended to have full and frank discussions. She indicated that a total of five minutes for each question would be allowed.

The Chairman invited Members to put their questions to the Leader, the Deputy Leader and the Acting Chief Executive. Members also asked supplemental questions, which were duly answered.

Delivering the Corporate Strategy

**Question 1:** *With the culture of serious cuts in corporate budgets and cuts in front line services, how do you propose to salvage the Corporate Plan?*

The Leader responded that a large proportion of the foreseeable savings were contained in the February 2006 budget. The savings plan in August 2006 had been risk assessed for its impact on Council performance. Decisions were made in the light of value for money of services and through benchmarking Harrow's services with other boroughs. The delivery of the Corporate Plan was monitored through the Strategic Performance Report, which would be reviewed at the Cabinet in December 2006. Overall, Harrow's services continued to improve in line with the plan but there were areas of concern. In the planning service, there were challenges in turning around planning applications and it was harder to make the workforce more representative in the context of low levels of recruitment.

The Leader responded to a supplemental question as follows:-

- given the Council's financial situation, a value judgement would be made about the savings proposed;
- a detailed reply on the level of savings proposed, its impact on the voluntary sector and the Council's ability to achieve its vision in the light of these savings would be given in December 2006;

- responses would be given at the Open Budget Panel public meeting on 21 December 2006.

The Acting Chief Executive stated that an Extraordinary meeting of Council in December would debate the draft budget in detail and that the savings plan had been considered/measured against the Council's corporate priorities, its impact on services and the Joint Area Review (JAR). She added that when developing budgets, high-level service plans would be considered together with their impact on the Council's corporate priorities.

The Chairman stated that the question would be addressed in December 2006 by the Overview and Scrutiny Committee at its Scrutiny Budget Challenge Panel on 18 December 2006.

#### Budget and Financial Issues

**Question 2:** *The public had been told that Harrow Council was on the verge of bankruptcy after the May 2006 elections and that there was a lack of financial competence which drastic measures had to address. How do you reconcile that position with the 2005 Local Government Chronicle Awards in which Harrow's strong financial performance was commended and the 2004 Audit letter which stated that the financial management arrangements were improving and the CPA assessment in which Harrow achieved 4 out of 4 for its use of resources?*

The Deputy Leader stated that the public had been told that Harrow Council was facing serious financial problems and was taking the necessary action to address the situation. There had never been any suggestion of a lack of financial competence.

For a number of reasons Harrow had overspent in 2005-06. Many of these reasons were outside the Council's control, such as economic pressures, demand for services, and the actions of the Primary Care Trust (PCT). However, all possible steps had been taken during that year to manage the situation and this had been recognised by the external auditor.

The budget process for 2006-07 was difficult and many of the pressures facing the Council at the time were reflected in that budget. For instance, several of the income and savings targets were scaled back.

During the early part of 2006-07, new pressures had come to light and these were addressed at the earliest opportunity via the savings plan agreed by Cabinet on 3 August 2006.

Detailed work was being done to develop the new medium term budget and ensure that the Council was on a stable financial footing going forward.

Financial management arrangements were improving, for example, the budget monitoring reports to Cabinet. The Use of Resources score awarded last year was actually 2 out of 4. Harrow did not win a Local Government Chronicle (LGC) award in 2005 but had won awards for pension fund management in the past.

In response to a supplemental question, the Deputy Leader stated that he did not agree that the statements were excessive. The public needed to be aware of the Council's financial situation and urgent action was necessary to address it.

The Chairman reported that issues relating to the budget would be picked up by the Scrutiny Budget Challenge Panel on 18 December 2006. She reminded Members of the Open Budget Panel public meeting on the budget, scheduled to be held on 21 December 2006.

**Question 3:** *You have stated that the Council would consider what services it was required to provide and what should be the level of service provision. Can you explain precisely what you meant by this and give a precise indication of the range of services on which this would impact?*

The Leader stated that the report to Cabinet on 4 October 2006 explained that five strategic projects had been carried out to inform the new medium term planning process. These projects included a service delivery review and a value for money study.

The service delivery review was designed to map and review the Council's services, looking at:-

- level of spend;
- the split between statutory and discretionary provision;
- level of provision;
- the extent to which services had been subject to challenge either through procurement or benchmarking;
- the impact of any changes to or reductions in service.

The value for money review had three key objectives:-

- development of a new value for money framework for the Council;
- to compare and benchmark Harrow's cost and performance position against three comparator groups;
- to agree a set of value for money indicators to monitor and challenge performance going forward.

The value for money review was complete and detailed information about cost and performance of all services was available.

The service review, alongside the value for money project, would provide the detailed information that Councillors would need to make decisions about service strategies in the medium term. This was critical given the size of the funding gap. It was too soon, however, to say which services would be affected.

In response to a supplemental question, the Leader re-iterated that the value for money project had been completed but that he was unable to comment on its contents as he had not yet viewed the statistical data it contained. He added that information on savings would be available in December 2006 and January 2007 when the results of the consultations were available.

The Chairman stated that the Member concerned raise this matter at the Open Budget Panel public meeting on 21 December 2006. She asked that the Overview and Scrutiny Committee Members be advised when the reviews would be submitted to the Committee.

**Question 4:** *Can you please explain the MTBS priorities – would it be to reduce Council tax or to improve services?*

The Acting Chief Executive stated that all Councils needed to find the right balance between Council tax levels and service levels to meet the needs of their residents. The report to Cabinet on 4 October 2006 stated that Harrow was a relatively low spending but high Council Tax borough. This situation was largely due to the poor grant levels received compared to other boroughs. She explained the figures set out in that report and the comparisons with other boroughs and informed the Committee that only 18% of the Council's income was derived from the Council Tax.

The Acting Chief Executive stated that funding gaps had been identified up to 2010 and that, given that Harrow was already spending at relatively low levels, it would be a challenge to find further reductions in spending.

The Deputy Leader added that it might be necessary to scale back some services to bridge the gap between spending and funding. In response to a supplemental question, he stated that the Council's objective was to keep the Council Tax steady.

The Chairman stated that this line of enquiry should be re-visited at the Open Budget Panel public meeting on 21 December 2006.

**Question 5:** Withdrawn at the meeting.

**Question 6:** *Wouldn't you agree that the protection of frontline services and the most vulnerable people, both old and young, was more important than keeping the reserves well above the minimal level and having a zero Council Tax rise?*

The Leader stated that the Council had to find a balance between service levels and tax levels and that protecting the vulnerable was vital. The Council also needed to have sufficient reserves to deal with unforeseen circumstances. The Council had agreed that the absolute minimum of reserves required was £3.5m. The new medium

term plan would include contributions to reserves to get back to this level and give the Council financial stability in the future. It was recognised, however, that excessive reserves were a waste of valuable resources.

In response to a supplemental question that emphasis was being placed on the building-up of the reserves and a reduction in Council Tax rather than on the provision of front line services, the Leader stated that this was not the perception of his administration. He added that it was not intended to hold a level of reserves in excess of £3.5m although some boroughs held reserves of £15m.

**Question 7:** *Given the financial problems facing the Council, wouldn't you agree that it was absolutely vital that Capita, through the Business Transformation Partnership (BTP), made the savings which it had promised. Bearing in mind the failure to make the savings promised in the first year, can you assure us that the promised savings would be made next year and in the future?*

The Acting Chief Executive stated that it was vital that Capita made the savings they had promised and that they had provided assurances to the Deputy Leader at the relevant meetings. They were on target to deliver £1.3m this year. Officers were monitoring the position closely through fortnightly Board meetings. The new deal negotiated with Capita included realistic savings targets for future years. Many of the savings this year would have a part year effect and the full year effect of these savings in 2007-08 would go some way towards meeting next year's target.

In response to a supplemental question about who would bear the risks associated with the new deal with Capita, the Deputy Leader stated that Capita would be bearing the financial risks and that a general report would be submitted to the Cabinet and the Overview and Scrutiny Committee on this issue.

The Chairman stated that the Overview and Scrutiny Committee received reports on the BTP on a regular basis and requested that the report referred to by the Deputy Leader above be submitted to its January 2007 meeting.

**Question 8:** *Who was accountable for the delivery of the procurement savings?*

The Leader stated that the Deputy Leader, in his capacity as the Portfolio Holder for Finance and Business Matters, and the Director of Financial and Business Strategy were accountable.

In response to a supplemental question about targets not being achieved, the Deputy Leader stated that procurement savings had been subsumed in the budget for August 2006 and that specific savings were now required which would be monitored and were on budget. Savings would be achieved and 'harvested'.

**Question 9:** *As a result of recent budgetary decisions, a "consultation" was being conducted regarding Community Care provision. It is apparent that users are being assessed to see if we could reduce the amount of time/visits or use cheaper agencies. What do you think would be the impact of these proposals on service users and their carers?*

The Leader stated that it was too soon to assess the impact. He added that there were four consultations regarding community care services, namely the proposal to merge Amner Lodge and Milmans Older People's Day Centres, the proposal to re-provide Wiseworks either through merging with the Bridge or by providing integrated employment support through the existing Community Mental Health Team Service, the proposal to revise the current charges for Home Care, and the proposal to make changes to the existing meals on wheels arrangements for which the consultation period did not expire until January 2007.

As part of routine delivery, the Council would continue to conduct reviews of all existing service users with a view to achieving the most cost effective safe service options to meet assessed needs. It remained open to the Council to manage delivery within its available resources, which might result in those with lower priority needs having to wait for services to be put in place. The administration remained committed to ensuring its most vulnerable citizens received a safe service.

In response to a supplemental question about false savings and their adverse impact on the vulnerable, the Leader stated that he could not comment at this stage as the outcome of the consultations were not yet known. Over 40% of the residents in care were funded entirely by the Council and did not pay anything towards their care. He added that the decision of the Council was likely to adversely impact some of the residents in care and that the decision would be made by Council in 2007. He

undertook to consider the letter received by the Member asking the question and provide comments. He also agreed to look at the consultation issue.

**Question 10:** *Officers recommended that schools should be consulted about the Education items contained in the mini-budget agreed by the Cabinet on 3 August 2006. Indication was given at the Call-In Sub-Committee, held on 22 August 2006, that the education cuts in the paper could be made up from school delegated budgets. Did you consult with schools?*

The Leader clarified that this was not a mini-budget and that the administration had had to amend the budget previously agreed to ensure that it balanced. The Call-in Sub-Committee on 22 August 2006 and the Special Cabinet on 4 September 2006 had addressed these issues.

Given the Council's financial position, there had been a very limited time for detailed consultation on every item in the plan. He added that:-

- in relation to clothing grants, applications received prior to 3 August 2006 would be honoured, grants would continue for year 8 pupils for the remainder of the year and the schools had been advised of the changes;
- in relation to music teaching subsidy, the cuts would not affect music teaching delivery until September 2007 and a detailed timetable for consultation had been published;
- in relation to the community sports scheme, the first phase was completed in July 2006 and no new activities were planned until September 2006. The administration would not consult on something that had not yet started.

In response to a supplemental question about the passing of costs to schools through delegated budgets, the Leader stated that costs would be spread evenly across the Borough.

The Chairman stated that the issue of consultation would be included in the Scrutiny Work Programme.

**Question 11:** Withdrawn at the meeting.

**Question 12:** *If the outcome of the Social Care Statutory Consultations showed a total rejection of the proposed charges by the service users and the voluntary sector, would you be prepared to scrap your proposals?*

The Deputy Leader stated that the final decision on home care charging would be taken at the Cabinet meeting in December 2006 and it was too early to state the position on this issue, which was the subject of consultation.

The following responses were given to various supplemental questions:

- the administration shared the concerns of the vulnerable and consideration would be given to the outcome of the consultation process;
- all letters received had been forwarded to the consultation panel and all paper work would be available for inspection;
- consideration would be given to holding a dedicated meeting on the budget for HSP Board members and a meeting with the voluntary sector representatives would be arranged.

The Chairman commented that the results of the consultation process would be examined by the Scrutiny Budget Challenge Panel, which would determine how the paper work/case work could inform this Panel's work.

**Question 13:** *Would you agree that in last year's budget severe cuts were made to Children's Services and that the Chief Executive, on the advice of the Director of Children's Service, had to issue a formal notice that the health and safety of young people in the Council's care could not be guaranteed if any further cuts were made? Can you give us an assurance that no further cuts would be made to Children's Services?*

The Acting Chief Executive stated that the then Chief Executive had not issued a formal notice on the health and safety of young people during last year's budget round. The Chief Executive and Director of Children's Services had made the statutory

requirements for Children's Services clear to the administration at the time. Throughout the budget process, officers and Members had been made aware of the difficult issues and decisions that were required and had detailed discussions on the impact of the proposals.

Members were informed that all services were currently being reviewed to identify spending pressures and potential savings, including Children's Services.

In response to supplemental questions, the Acting Chief Executive informed Members that benchmarking on the various services for children had been carried out and the results would be made available to Members.

**Question 14:** *How much money has been spent since last May in handing out green boxes to local residents and how much money will the introduction of blue bins to replace them cost?*

The Leader stated that the Council had distributed 30,000 Green Boxes since July 2006 at a cost of approximately £82,500. Distribution costs had been contained within the existing Public Realm Services' budget.

The introduction of Blue Bins would cost approximately £1.1m, including distribution costs.

**Question 15:** *How will the distribution of the blue bins be managed to avoid the July scenario?*

The Leader reported that the changes would be phased in over a period of time. He added that trials would be carried out and the results assessed before taking a decision on how the scheme should be rolled out to the other parts of the Borough and to what extent. He anticipated long-term savings and stated that refuse vehicles would be used to collect recycled material.

The Leader stated that the Green Boxes, which would be redundant as a result of the introduction of the Blue Boxes, could be returned to the Council for recycling. He added that publicity on the changes would be improved and circulated to Members for comment.

**Question 16:** *A mini budget was introduced on 3 August 2006 without any consultation whatsoever. The settings on 2007-08 budget will be very challenging. What are your plans to consult in a meaningful way with key stakeholders?*

The Deputy Leader stated that the savings plan agreed by Cabinet on 3 August 2006 did not constitute a mini-budget. Under the Constitution, once the budget had been set for the year, the Executive may only take decisions which were in accordance with the budget framework. In this case, the decisions dealt with savings built into the 2006-07 budget but not allocated, the need to restore reserves and the new spending pressures that had emerged after the budget had been set. This was entirely consistent with the budget framework and the virement rules. The report to the Cabinet was also entirely consistent with the Local Government Act 2003 which required the Executive to take action if budget monitoring reports showed a deterioration in the Council's financial position.

The Deputy Leader stated that it was not true to say that the savings plan had been implemented without any consultation. Staff and Unions were consulted about the plan and their comments were presented to the Cabinet. Key partners had also been kept informed. In addition, a statutory 12 week consultation was underway on three items and the final decisions would reflect the findings of the consultation. He advised that due to the severity of the Council's financial position, there was a need to find a balance between full consultation on each item and achieving the required savings in the time available.

The Deputy Leader indicated that the questioner was right to say that the 2007-08 budget process would be very challenging and the report to the Cabinet on 4 October 2006 had shown that there was a potential funding gap of £18m. Consultation would be carried out during the process with the Open Budget Panel, the public via the Open Cabinet question time meetings, and with individual stakeholder groups. A special session would be arranged for the Overview and Scrutiny Committee to examine the issues in December 2006 and there would be a special public meeting of the Open Budget Panel on 21 December 2006. An extra edition of Harrow People would be circulated in January 2007, which would consult on budget issues and in addition, the Harrow Strategic Partnership (HSP) Board would be offered a dedicated meeting on the budget.

**Question 17 (as amended at the meeting):** *How is the Open Budget process to be organised this time and how effective will it be?*

The Leader stated that the Open Budget Panel had been elected by the Open Budget Assembly last October. The Panel had met a number of times between November 2005 and February 2006 to contribute to the 2006-07 budget round.

This year, the Deputy Leader had invited the Panel members to continue their involvement and also invited the former Community Budget Group (which had emerged from the scrutiny review of the budget) to participate. Some 15 individuals had expressed the wish to be involved and they had had two meetings (September and October 2006). The next meeting was scheduled to take place on 21 December 2006. The Deputy Leader had written to the Panel encouraging them to attend this session as the draft budget for 2007-08 to 2009-10 would be discussed. This meeting would also be open to all members of the public and would be advertised nearer the time.

The Leader mentioned that given all the pressures and issues that emerged during 2005-06, the budget round last year had been very difficult. He advised that the administration was working hard to deliver a new medium term plan that was robust and put the Council on a sound financial footing for the future. The Open Budget Panel provided an opportunity for residents to contribute to that process.

The Deputy Leader added that a public meeting of the Open Budget Panel was scheduled and that the Council could not afford to go through the whole process of setting up the Assembly again. He mentioned that, to date, the focus of the members of the Panel had been on the Business Transformation Partnership, rather than the budget, and that the public meeting would concentrate on the budget.

The Deputy Leader responded to supplemental questions. He invited suggestions from Members about the consultation process and indicated that no decision had yet been taken on how the consultation would be carried out through Harrow People. In response to a question from the Chairman, the Deputy Leader stated that the form of Open Budget Panel meeting on 21 December 2006 would depend on the number of people attending. It was, however, envisaged that there would be a presentation on the budget setting out its impact on the Borough followed by a question and answer session. Other types of broadcasts would also be considered.

The Chairman stated that the Chairman of the Scrutiny Budget Challenge Panel would also focus on key lines of enquiry on the budget.

#### Access Harrow

**Question 18:** *When Access Harrow was launched in July 2006, the public was told that it would make contact with Harrow easier. How do you explain the frustration that the public still feel with contacting Harrow and the perception that Harrow is not willing or able to talk to its 'customers' or address their needs? I am told that:-*

- *Telephone – constant engaged tone even at 9:00 am and unhelpful staff at the end of the line, unable to pass the call to a supervisor if they cannot deal with the query;*
- *Email – gets lost in ether and does not get answered;*
- *Personal callers – the pleasure of a 2-hour wait.*

*What is being done to evaluate Access Harrow and address these areas of poor 'customer service'?*

In response, the Acting Chief Executive stated that the introduction of Access Harrow had made it easier for the citizens of Harrow to make contact with the Council.

#### **Telephone**

As at the 9 November 2006, Access Harrow (launched in May 2006) had answered 334,000 calls, which did not include internal switchboard calls. During that time, average waiting times had improved, the average speed to answer was currently 1 minute 35 seconds across all services.

There were some services that had experienced heavy demand, including Revenues and Benefits, particularly during recovery periods. The average speed to answer on this service in October 2006 was 5 minutes 45 seconds. Although this was longer than the contact centre average, it was important to note that the advisers did not merely



capture information and/or pass callers on to the service area. They resolved over 80% of the Revenue and Benefit enquiries at this first point of contact.

The Acting Chief Executive reported that high demand had been experienced by the Public Realm team as a result of the changes to waste collections and that the Committee had received a report on this issue.

The Acting Chief Executive did not accept the comment that staff in the Contact Centre were unhelpful. The Council placed great emphasis on customer care. Many calls were recorded and monitored and she indicated that any Councillor who cared to visit the contact centre and take the opportunity to listen in to calls would be most welcome. Any instances of unprofessional conduct were investigated and the necessary action taken. Members, officers and citizens were encouraged to give feedback on performance. In the event that advisers required assistance in answering a customer query, team leaders and managers were always available to assist. In most instances, it took the form of providing clarification and advice, however, the manager did occasionally take over calls, if required.

### **E-Mail**

Over 10,000 e-mails had been received and dealt with in Access Harrow. This figure did not include the many thousands received on the [waste@harrow](mailto:waste@harrow) e-mail account which was used for the refuse and recycling campaign. However not all e-mails to the Council were directed to Access Harrow, some accounts, including Council Tax, were instead dealt with by the service area.

### **Personal Callers**

As at the 9 November 2006, the One Stop Shop had received over 37,500 customers.

The vast majority of visitors to the One Stop Shop were seen quickly and efficiently. Two customer satisfaction surveys carried out in September and October 2006 would confirm this positive view of the service.

The average waiting time in October 2006 was 19 minutes 13 seconds. Long waiting times were the exception rather than the norm.

In response to a supplemental question, the Acting Chief Executive acknowledged that there were stumbling blocks, such as communication problems and she indicated that officers were tracking to identify the problems, particularly those in the 'back' office (rather than Access Harrow) where responses appeared to be slow. She added that improvements were required in certain areas.

The Chairman stated that a report relating to this question was on the agenda for the 21 November meeting of the Overview and Scrutiny Committee. She stated that the Committee had not yet received details of the surveys. She asked that officers arrange a visit to Access Harrow for Members of the Committee.

### **General**

**Question 19:** *In preparation for the 2012 Olympics do you still intend to pursue the idea of an Olympic swimming pool for Harrow?*

The Leader supported the idea of an Olympic swimming pool in Harrow. He added that the quality of Harrow's leisure facilities was a key corporate priority for both the Council and its communities, ensuring existing facilities were of high quality and well maintained. The provision and management of indoor and outdoor sport and leisure facilities had a vital role to play in improving the quality of life and reducing inequalities at a local level.

The CPA Cultural Services Inspection in June 2005 awarded the service a 1 (Fair) Star Rating, with promising prospects for improvement. One of the key findings of the Audit Commission was the need to maximise the partnership with the service provider, Leisure Connection Limited (LC).

A recently commissioned independent building condition survey of the Borough's leisure facilities had recommended the need for major maintenance expenditure of at least £2m over the next 10 years by the Council.

High level negotiations were currently taking place between Cabinet Members and Leisure Connection Limited, and this capital funding would potentially enable the revision of the current Management Agreement to achieve:

- Enhanced performance and customer-focused outcome-based agreement;
- Joint Investment to revitalise the Borough sports and leisure facilities;
- Determining how LC could take on the responsibility for all day to day and long term maintenance at all contract facilities.

Should the discussions with Leisure Connection, regarding the future provision of leisure facilities in the Borough produce viable proposals, then a paper would be produced for consideration at the Cabinet. The Leader stated that the investment would only be made if the proposals were viable and that LC were looking for a suitable site for an Olympic sized swimming pool in Harrow. He added that the project would only go ahead if it was at a zero revenue cost to the Council and that any facilities provided would be for both the Paralympics and the Olympic games.

The Acting Chief Executive confirmed that the legislation did not allow Council to raise money through lotteries, such as Harrow lottery.

**Question 20:** *Can you elaborate on what plans you have in place to prepare young people in Harrow to become Olympic athletes?*

The Leader stated that an inaugural meeting of the Olympics Task Force – now named Championing Harrow - on 7 November 2006 had agreed a structure for the development and delivery of a sports, cultural, business and tourism programme in response to the opportunity provided by the London 2012 Olympic and Paralympic Games. The structure included a delivery team to focus on Young Athletes, both in terms of engaging young people in physical activity and supporting gifted and talented youngsters. The Leader advised that the already restructured Sports Development Team would be working with Harrow Sports Council, local voluntary clubs and organisations and schools to identify and support young athletes and provide opportunities for their progression.

In addition the Youth Service was successfully targeting its activities on hard to reach groups, those from ethnic minorities and those not currently engaged in mainstream services. The aim was to give young people places to go, things to do, a sense of achievement and, where appropriate, an accredited outcome.

Examples of activity currently being delivered for young people in sports in Harrow either through Sports Development or the Youth Service were:-

- London Youth Games – the premier opportunity for young people to compete and develop their skills in competition;
- Community Sports Development at Canons and Whitmore High Schools – programmes that engaged young people in a wide range of sporting and fitness training opportunities;
- Canons Cricket Academy - bringing together young people from a number of schools in the east of the Borough, offering coaching, nets, matches and a trip to Lords to watch a test match and play 'quick cricket';
- Basketball in the community - bringing together young people in central Harrow, offering coaching, matches and an opportunity to share ideas and fashion, based around the basketball lifestyle;
- Tae Kwon Do - coaching and competition in a number of locations;
- Kickz - in partnership with Watford Football Club (WFC) and the Police, bringing more football into the Harrow community and enabling young people to utilise the WFC facilities. This also linked to national 'get racism out of sport' initiatives;
- Boxing - a developing partnership with a local club offering coaching and competition.

In response to a supplemental question about the £16,000 grant, the Leader stated that he would send a response to the Deputy Leader of the Labour Group on this matter.

**Question 21:** *How much more can be done to stop illegal selling of videos in Harrow Town Centre, as once again they were being sold openly on Saturday 4 November 2006. As this is not fair on the shops in the area, do you think this could be better enforced to put a stop to this illegal trade?*

The Acting Chief Executive stated that there was a major problem, and increasing public concern, in the Harrow area with itinerant DVD traders selling counterfeit DVDs. The problem had increased considerably in the last twelve months. The overwhelming majority of these traders were originally from mainland China. They often had language difficulties and no permanent address, which made dealing with them effectively a major problem, including any follow up enforcement.

The traders were usually illegal immigrants or asylum seekers and many were selling DVDs in order to pay back fees to people traffickers who had assisted them to enter the country. When interviewed, similar stories emerged to the effect that the sellers were unable to claim benefits and could not work legally in the UK. They, therefore, considered themselves to have few options but to continue in this trade.

The Acting Chief Executive reported that the problem had been actively tackled on a multi-agency basis with regular liaison between Trading Standards, Police, CCTV, FACT, Highways Enforcement and the Immigration Service. In view of the large number of complaints received, all services, in particular, Trading Standards and the Police continued to devote a considerable proportion of limited resources to this issue.

In March 2006, in an operation code named 'Predator', (funded separately by Harrow Council), twelve sellers were arrested in a zero tolerance approach by Police and Trading Standards Officers. These traders, many of whom were well known, were interviewed, charged and kept in custody over the weekend until they appeared at Court on the following Monday. In Court, most of the traders had asked for a catalogue of previous offences to be taken into consideration. As a result of this operation, three traders received prison sentences of up to 28 days while the remainder were given conditional discharges.

Members were advised that during June 2006, in an early morning raid code named 'Orchard', Harrow Trading Standards, with the assistance of Headstone South Police Safer Neighbourhood Team had seized a large quantity of counterfeit and pornographic DVDs from a residential address in Harrow. Four people that had been arrested with three being formally charged by Trading Standards.

There had been numerous checks, daily enforcement by various agencies and patrols of Harrow Town Centre looking for illegal street traders.

A further action in September 2006 had resulted in the arrest of 9 DVD sellers, 3 of which received Anti Social Behaviour Orders (ASBOs) banning them from undertaking the sale, and from entering the Town Centre. A further ASBO was later granted in October 2006 of a pernicious seller who was arrested following identification by the CCTV team and arrest by the Police.

The development of a zero tolerance enforcement project by all of the relevant partner agencies was being considered.

The outcome the Council was seeking was to use ASB Powers to request the courts to approve ASB Orders against the individuals, banning them from entering Harrow Town Centre and from illegal street trading anywhere in the UK. This would ensure that they could not act as lookouts or provide other assistance to new sellers and from ensuring they were not moved to or from other boroughs to ply their trade. It was intended that this would be implemented in mid-November 2006, running through the Christmas period.

The Police had agreed to fund an additional street based team dedicated to the Town Centre with the key remit of dealing with illegal street trading. This team would operate on different shifts to the Greenhill Safer Neighbourhood Team provision of coverage at all times during the trading period. In addition, there would be police street enforcement teams on training duties through November and December 2006 to target the sellers through 'pulse' enforcement.

The CCTV team were gathering intelligence, including facial shots of all sellers, and, where it could be proven that any one person had sold illegal DVDs on more than two occasions, prosecution as well as ASBOs on all those arrested banning them from Harrow Town Centre, possessing counterfeit goods and from illegal street trading anywhere.

The Leader and the Acting Chief Executive stated that ASBOs appeared to be the best way forward as any breach carried a six month prison sentence. They would consider placing notices advising people not to buy such goods and seek advice on whether it was illegal to purchase such goods.

The Chairman suggested that this matter could be considered by the Safer and Stronger Communities Scrutiny Sub-Committee.

### Scrutiny

**Question 22 (as amended at the meeting):** *Doesn't it go against the very spirit of good practice and accountability that neither the Executive nor the Overview and Scrutiny Committee leadership are shared?*

The Leader stated that he had previously answered this question at Council. He replied that the consistent picture historically across London was that where a Party held a clear majority on the Council it formed a single party Cabinet and took the Overview and Scrutiny chair.

The Chairman stated that the Overview and Scrutiny Committee was an independent body and that she hoped that this was the last time such a question was asked.

**Question 23:** *Will the Leader of the Council uphold Overview and Scrutiny's role in holding all Portfolio Holders to account by insisting they attend when required by its committees at appropriate meetings?*

The Leader stated that he was supportive of the idea that Portfolio Holders should attend relevant scrutiny meetings to be held to account. He would always encourage Cabinet colleagues to attend these sessions but he could not insist they always attend on specific dates because diaries did not always allow this. The same applied to the Call-In Sub-Committee.

The Leader stated that where an individual Portfolio Holder could not attend, a replacement Portfolio Holder could attend.

It was noted that a letter from the Chairman had been sent to all Portfolio Holders specifying dates of all the Scrutiny Committees to which they might be expected to attend.

**Question 24:** *What does the Leader expect of Portfolio Holders in relation to attendance at Scrutiny's Sub-Committees if there are public questions?*

The Leader stated that Portfolio Holders would be encouraged to attend, provided their diaries were free.

### Staffing

**Question 25:** *When do you anticipate having a new Chief Executive in post?*

The Leader stated that an advertisement for the post had been placed. Interviews would be carried out in the New Year (2007) and it was hoped that the permanent Chief Executive would be in post by April. He also outlined the membership of the appointments Panel.

The Chairman stated that there was an issue about the gender balance of the Panel and stated that the Overview and Scrutiny Committee expected to be full partners in this appointment.

**Question 26:** *Do you have any plans to restructure the senior management structure of Harrow Council. Is it intended to cut back or increase the number of (i) Executive Directors, (ii) Directors, (iii) Group Managers?*

The Acting Chief Executive stated that the Council was currently considering some short term changes to the senior structure which would refocus a small number of roles and ensure coverage of roles that were being held vacant to deliver the planned savings in the senior structure.

The longer term structure would be considered in the light of the new Corporate Plan and Medium Term Budget Strategy (MTBS). The structure had to be fit for purpose to deliver the performance priorities and planned efficiency savings over the next three years. It would also be helpful to discuss proposals with the permanent Chief Executive, once in post.

The Chairman stated that the January 2007 meeting of the Overview and Scrutiny Committee would focus on Human Resources issues and that an update on the position would be sought at that time.

**Question 27:** *What was the position with regard to staff displaced under the Middle Management Review (MMR) process?*

The Acting Chief Executive reported that the MMR process formally concluded on 31 March 2006. The change management team had remained in place for a further three months to support employees who had been displaced. Seventeen members of staff had been displaced, that is, either not applied or failed to be appointed to one of the new management roles. All but three had now been offered redundancy, redeployment or a temporary assignment intended to last upwards of six months.

The Chairman stated that an exception report would be submitted to the January 2007 meeting of this Committee.

**Question 28:** *How is the Council's smoking policy being policed?*

The Acting Chief Executive stated that the Council's policy, introduced in March 2001, required staff to check with their manager before taking a smoking break and that those staff who completed a flexi sheet record the time lost and agree with the manager how it should be made up. The policy was explicit in that it was the responsibility of all managers to ensure it was adhered to.

In response to a supplemental question, the Acting Chief Executive stated that where staff did not work flexible hours, different rules applied and provided examples. She stated that the scheme had to be equitable.

Conclusion

The Chairman thanked the Leader, the Deputy Leader and the Acting Chief Executive for their attendance and responses.

(Note: The meeting, having commenced at 7.30 pm, closed at 10.00 pm).

(Signed) COUNCILLOR JEAN LAMMIMAN  
Chairman



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## REPORT OF OVERVIEW AND SCRUTINY COMMITTEE

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### MEETING HELD ON 21 NOVEMBER 2006

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Chairman: \* Councillor Jean Lammiman

Councillors: \* B E Gate \* Christopher Noyce  
 \* Mitzi Green \* Richard Romain  
 \* Salim Miah \* Anthony Seymour  
 \* Mrs Myra Michael \* Mrs Rekha Shah  
 \* Jerry Miles \* Mark Versallion

\* Denotes Member present

[Note: Councillor Ms Nana Asante attended this meeting to speak on the item indicated at Minute 67 below. Councillors Miss Christine Bednell and Paul Osborn, having been invited to the meeting in their capacity as Portfolio Holders, spoke on the items indicated at Minutes 64, 66, 67 and 68 below].

#### **PART I - RECOMMENDATIONS**

##### **RECOMMENDATION I - Terms of Reference of the Children and Young People Scrutiny Sub-Committee**

The Committee considered Recommendation 1 of the Children and Young People Scrutiny Sub-Committee meeting held on 18 October 2006.

Members were of the view that the terms of reference, as amended by the Sub-Committee should be seen as a model for other scrutiny committees to follow, including the Overview and Scrutiny Committee. Members indicated that the changes should next be made when all the terms of reference of the scrutiny committees were submitted to Council for approval.

Paragraph (f) of the Sub-Committee's terms of reference was also amended at the meeting as follows:-

“(f) assist the Executive and the Council in the development of the budget and policy framework by analysis of policy issues.”

**Resolved to RECOMMEND:** (to Council)

That the terms of reference of the Children and Young People Scrutiny Sub-Committee, as now amended and as set out at Appendix 1 to these minutes, be approved.

##### **RECOMMENDATION II - Overview and Scrutiny Work Programme**

At its meeting on 10 October 2006, the Overview and Scrutiny Committee had agreed its work programme and had also noted the work programmes of the Safer and Stronger Communities and Sustainable Development and Enterprise Scrutiny Sub-Committees.

Members now received a report which set out the final versions of the work programmes of all the scrutiny bodies, including those of the Adult Health and Social Care and Children and Young People Scrutiny Sub-Committees.

The Committee, having noted the work programmes of the Adult Health and Social Care and Children and Young People Scrutiny Sub-Committees, was reminded of the requirements set out under Overview and Scrutiny Procedure Rules 12.1 and 12.3, and accordingly

**Resolved to RECOMMEND:** (to Council)

That the Work Programme of the Overview and Scrutiny Committee and its Sub-Committees, as attached at Appendix 2 to these minutes, be noted.

(See also Minute 76).

**PART II - MINUTES**56. **Attendance by Reserve Members:**

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

57. **Declarations of Interest:**

**RESOLVED:** To note that the following interests were declared:

- (i) Agenda Item 14 – Cultural Services Review – Scope  
During consideration of this item, Councillor Jean Lammiman declared a personal interest in that she was a Council appointed representative of Arts Culture Harrow (ACH). She would remain in the room whilst the matter was considered and voted upon.
- (ii) Agenda Item 15 - Business Transformation Partnership – Access Harrow  
Councillor B E Gate declared a personal interest due to his professional interest in call centres. He would remain in the room whilst the matter was considered and voted upon.
- (iii) Agenda Item 18 – Performance on the Local Area Agreement (LAA)  
Councillor Ms Nana Asante, who was not a member of this Committee, declared a personal interest in that she was a member of the Community Cohesion Management Group, which operated under the auspices of the Harrow Strategic Partnership Executive (HSPE), a body that oversaw the LAA. She would remain in the room whilst the matter was discussed.

58. **Arrangement of Agenda:**

The Chairman stated that item 12 – Call-In Sub-Committee – Reference from the Constitution Review Working Group – would be considered before item 11 – Appointment of Members for the Scrutiny Sub-Committees for the Remainder of the Municipal Year 2006/07.

**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>
11. Appointment of Members to the Scrutiny Sub-Committees for the remainder of the Municipal Year 2006/07.	This report was being consulted on at the time of the dispatch of the agenda and was not received in its final form in time to be included on the original agenda. Members were requested to consider this item, as a matter of urgency, so that the changes in the memberships could be implemented with immediate effect.
14. Cultural Services Review – Scope – List of Questions	This document contained the questions, which were not available at the time of the circulation of the agenda as the questions were being constructed. Members agreed to consider the questions, which related to an item on the agenda for which a Portfolio Holder had been invited to attend.

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

[Note: During the course of the meeting, the order of business was further varied and the minutes are recorded in the order items on the agenda were considered].

59. **Minutes:**

**RESOLVED:** That (1) the minutes of the meeting held on 18 July 2006, be taken as read and signed as a correct record;

(2) the minutes of the ordinary meeting held on 10 October 2006, and of the Special meeting held on 14 November 2006, be deferred until printed in the Council Bound Minute Volume.



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 Overview and Scrutiny Procedure Rules 8, 9 and 10 (Part 4F of the Constitution) respectively.

61. **References from Council/Cabinet:**

**RESOLVED:** To note that no reports were received.

62. **Terms of Reference of the Overview and Scrutiny Committee:**

**RESOLVED:** That the revised terms of reference of the Overview and Scrutiny Committee, as agreed by Council on 19 October 2006, be noted.

63. **Terms of Reference of the Children and Young People Scrutiny Sub-Committee:**  
(See Recommendation I above).

64. **Call-In Sub-Committee - Reference from the Constitution Working Group:**

The Chairman welcomed Councillor Paul Osborn, Chairman of the Constitution Working Group, to the meeting for this item.

Councillor Osborn stated that there had been cross-party support for the establishment of a separate Education Call-In Sub-Committee. A Member suggested that the voting co-opted members of this second Call-In Sub-Committee be informed of the establishment of this new body, together with details of how it would function and decisions could be called in.

Members discussed the attendance of the Portfolio Holders at the Call-In Sub-Committee meetings and their operation. The Director of Corporate Governance clarified that it was a matter for the Call-In Sub-Committees to invite the Executive decision taker and a representative of those calling-in the decision to provide information at the meeting. A Member stated that sufficient time should be allowed for the representative of those calling-in the decision to present the case. In response, the Chairman of the Call-In Sub-Committee stated that sufficient time had been given and that it had been agreed to review the protocols.

It was noted that the Council's Constitution required any change in Scrutiny Sub-Committees to be reported to Council.

**RESOLVED:** That (1) a separate (second) "Education Call-In Sub-Committee", with a membership of nine Councillors (being seven Conservative and two Labour Members) and the four voting co-opted members be established;

(2) the establishment of the Education Call-In Sub-Committee be reported to Council, in accordance with Overview and Scrutiny Procedure Rule 4.3;

(3) the co-opted members also be informed of the establishment of the Sub-Committee.

(See also Minute 65).

65. **Appointment of Members to the Scrutiny Sub-Committees for the remainder of the Municipal Year 2006/07:**

**RESOLVED:** That (1) the memberships of the Scrutiny Sub-Committees, as appended at Appendix 3 to the minutes, be approved for the remainder of the Municipal Year;

(2) Councillor Anthony Seymour be appointed Chairman of the Education Call-In Sub-Committee for the remainder of the Municipal Year.

(See also Minute 64).

66. **Corporate Governance Update:**

The Director of Corporate Governance introduced the report, which set out developments since the matter was last reported to the Committee on 18 July 2006. He highlighted the key achievements and the outstanding workstreams for 2006/07. It was noted that Harrow would fully adapt the new CIPFA/SOLACE framework when it had published the governance plans for 2007/08.

In response to questions, the Director of Corporate Governance stated that:-

- a review of the whistleblowing policy would be conducted by the Business Development Directorate with a view to submitting it to the Standards Committee in December 2006;
- the Group Manager, Communications, was leading on the development of a new Communications Strategy which would initially be presented to the Corporate Management Team (CMT) for comment. The Portfolio Holder for Legal Services and Issues facing Young People stated that the Communications Strategy was subject to budget constraints and that options on how the Strategy could be taken forward were being investigated. It had been suggested that a Partnership approach might be the best way in taking the Communications Strategy forward;
- the grievance policy was subject to further consultation;
- the policy on retirement and Human Resources (HR) policies that had age related issues were being reviewed;
- the recruitment and selection policy, which was agreed in September 2006, would be rolled out in January 2007;
- the disciplinary and harassment policy was at an early stage of review;
- the Management Assurance Action Plan was set out at Appendix A to the report and that its implementation timetable was being worked on.

The Director of People, Performance and Policy also responded to questions from Members on aspects of the report. He acknowledged that there was a need to encourage a positive view of citizenship and stated that this view was being taken forward through community engagement work by empowering people. Surveys would be conducted to measure how citizenship had evolved. The Chairman stated that discussions on this matter had taken place at the Member Development Panel and that the notion of democratic engagement was being developed.

A Member stated that the development of the various strategies – Communications and HR strategies – ought to be kept under review by the Overview and Scrutiny Committee. It was noted that the January 2007 meeting of the Sub-Committee would focus on the Budget and HR and that the Finance and Business Matters Portfolio Holder had been invited to attend.

**RESOLVED:** That (1) the recent developments and good progress made in Corporate Governance be noted;

(2) exception/information reports be submitted to the Committee;

(3) the progress in key performance indicators (KPIs) be also reported to the Overview and Scrutiny Committee.

67. **Cultural Services Review - Scope:**

The Vice-Chairman of the Overview and Scrutiny Committee, in her capacity as Chairman of the Cultural Services Review Group, introduced the report and drew attention to the scope and the components of the review, as set out at Appendix 1 of the report of the Director of People, Performance and Policy.

The Director of People, Performance and Policy advised Members as follows:-

- there was a need for a review to retain some flexibility in the context of both the Council's Corporate Plan and the budget, which were relevant to this review;
- the outcomes of the customer satisfaction surveys could have an impact on this review at which time the scope might have to be varied. The Director identified 'sport' as a high risk area in terms of the Comprehensive Performance Assessment (CPA). The Portfolio Holder for Lifelong Learning, Cultural Services and Issues Facing Older People said that although the survey's outcomes were difficult to predict, the 'sport' area could be viewed as highly risky;

The Chairman of the Cultural Services Review Group stated that the preliminary fact finding work of the Group would not impinge on the Council and that the Review Group had agreed to 'piggy-back' on the survey findings.

Members indicated that they were pleased with the methodology and noted that the Review Group would seek to co-opt residents' associations, such as the Rayners Lane Tenants' Association, which was seen as a good model for others to adopt, sport and art groups and to engage with those that had been involved in the 'Hear/Say' Community Engagement Review.

The Chairman stated that the scope of the Review ought to be agreed on the understanding that it was not set in 'stone'. She added that Members were aware of the implications of the Council's Medium Term Budget Strategy (MTBS) on the Review and that the scrutiny committee's involvement in 'cultural services' would be seen positively by the government should it decide to intervene in any of the possible risk area(s) mentioned by the Director of People, Policy and Performance.

The Portfolio Holder for Lifelong Learning, Cultural Services and Issues Facing Older People responded to the following questions as set out below:-

1. *When will decisions be made regarding the two options for improving the Council's sports facilities? Should the existing contract be modified or should a root and branch reconfiguration of assets be the basis of a new contract?*

The Portfolio Holder stated that there was a great deal of interest in sporting activities due to the 2012 Olympics. In Harrow, the Council intended to make the most of the opportunities available. She stated that two meetings had been held with Leisure Connections (LC), providers of sport and leisure facilities at Hatch End, Roger Bannister and the Leisure Centre, which was now under new leadership and management. LC had been asked to submit proposals to the Council by the end of November 2006 that would involve the replacement/repositioning of the Leisure Centre and the possibilities of improvements at other sites. The proposals would then be evaluated. She hoped that Harrow would be able to provide training and other facilities for the athletes, which would help inspire the young and benefit Harrow's diverse communities.

The Portfolio Holder responded to supplemental questions about the chequered history of LC and whether other companies would be invited to submit proposals now. She acknowledged the history of LC, but advised that it was now under new and enthusiastic management. The proposals for LC would provide a benchmark for the future.

2. *What is the Portfolio Holder's view of the future for Arts Culture Harrow (ACH)?*

The Portfolio Holder responded as follows:-

- ACH was an independent Trust, and therefore was not under the Council's direct control;
- that ACH's performance had been varied, that it had had difficulties in managing its budget(s) and was operating at a deficit;
- that the Council had met with the Trustees of ACH and requested information on their situation, some of which remained outstanding, following which a balanced judgement would be taken;
- that the Council was committed to delivering a broad and stable arts and performance calendar in Harrow and that ACH had been made aware of this requirement;
- that ACH's Service Level Agreement (SLA) with the Council was being reviewed.

3. *The Council has a rolling programme of parks renovation with the aim of delivering Green Flag Status. What will be impact of the Council's budget cuts on this programme?*

The Portfolio Holder stated that the Council intended to apply for Green Flag Status at Canons Park, Roxeth and Harrow Recreation Grounds. The Portfolio Holder outlined the requirements for Green Flag status and informed Members that the application had to be made every year and that this year applications had to be submitted by January 2007. The judging would take place in May/June 2007.

She stated that the Council was tackling the ongoing issue of maintenance due to the budget. It was hoped that the Council would be successful in attaining Green Flag status for at least one of the three parks mentioned above, but that it was committed to ensuring improvements in all parks. The Portfolio Holder responded to the concerns about the locking of park gates, which might negate the Green Flag status.

4. *What is the Portfolio Holder's vision with regard to the Cultural Calendar and, specifically, how does she see Black History Month developing in future?*

The Portfolio Holder informed Members that the Council intended to prepare a Cultural Calendar which was considered to be appropriate for a diverse borough such as Harrow. She added that Harrow was the most religiously diverse borough in England and that, the cultural calendar, in addition to celebrating the various religious festivals, would aim to recognise the breadth of Harrow's diversity. She saw Black History Month as an important component of the cultural calendar, and was also aware that 2007 marked the 200<sup>th</sup> anniversary of the abolition of slavery. She looked forward to hearing about how the Black History Month Forum intended to mark the event.

5. *Members have been made aware of the issues facing the Council with regard to replacing the Borough's trees, many of which are coming to the end of their lifecycle. How does the Portfolio Holder propose to address this?*

The Portfolio Holder stated that whilst this was not within the remit of her portfolio, it was for reasons of insurance and safety that trees were being felled. She referred to the number of trees that had been planted in previous years and stated that 250 trees had been ordered for planting in the current year. It was noted that this matter would be publicised in Harrow People.

**RESOLVED:** That (1) the proposed scope for the review of Cultural Services be agreed in principle;

(2) exception reports be submitted to the Committee.

(See also Minute 57(i)).

68. **Olympics 2012:**

An officer introduced the report, which updated Members on Harrow Council's preparations for the London 2012 Olympics. She drew Members' attention to Appendix 2 of the report, which provided a diagram of how the Task Force would be set up. Members were informed that because of the branding issues, the task force would be known as 'Championing Harrow'. The inaugural meeting was held in November and a formal partner launch would take place in February 2007. She also pointed out that the lead responsibility for the Olympics had now moved to the Director of Lifelong Learning and Cultural Services.

The Portfolio Holder for Lifelong Learning, Cultural Services and Issues Facing Older People stated that the Council would look to develop plans for the Paralympic Games as well as the Olympic Games. She pointed out that those people who intended to volunteer to help with the Games had to show that they had been local volunteers. Links were to be made with the Harrow School which had excellent sporting facilities.

Members commented that:-

- representations ought to be made through the Association of London Government and local MPs about the embargo on the use of the brand word 'Olympics' which could impact on the Council's promotion of the Games;
- transport facilities were an issue, particularly in Stanmore, which already suffered from events at Wembley stadium;
- the implications of the project on the Council's budget.

In response, the Portfolio Holder and the officer stated that:-

- scrutiny representation on Championing Harrow taskforce would be considered;
- the use of a strapline alongside 'Championing Harrow' to explain the link to Harrow's preparations for the Olympics and the excitement as the Games drew closer would help promote involvement in local activities;

- no budget had currently been set aside for this area of work but a report on this issue would be submitted to a future meeting of the Committee;
- discussions had taken place with Leisure Connections on possible changes to sports and leisure facilities, including an Olympic size swimming pool. The Chairman requested a report back on this matter at a future meeting.

The Chairman thanked the Portfolio Holder for her contributions.

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

(2) the reports mentioned in the preamble above be submitted to future meetings of the Committee;

(3) Scrutiny determine how it would like to receive information on the development of the taskforce.

69. **Business Transformation Partnership - Access Harrow:**

The Director of Business Transformation introduced the report, which addressed the issues raised in relation to Access Harrow at a previous meeting of the Overview and Scrutiny Committee. She addressed the following issues and responded to questions from Members:-

- the recycling campaign had led to an unprecedented demand on Access Harrow and telephone calls from members of the public had been diverted to the Capita Call Centre in Coventry. As a result, it had been impossible to bed-in the service provided by Access Harrow. The Director had listened to a random number of calls and had been satisfied with the manner in which they had been answered by the Call Centre in Coventry. However, lessons had been learnt regarding the implementation of Council-wide campaigns which would be applied to future projects;
- the responses to a survey on Access Harrow carried out in September 2006 had been positive and visitors had been satisfied with the service provided. However, improvements were necessary and various options were being considered within the financial constraints of the Council. Initially, the existing structure would be reviewed. Two further options – using volunteers from Directorates or a pool of people from a local recruitment agency at a rate favourable to the Council – would be considered to provide support to Access Harrow at busy times. These options would allow the Council to have a direct control over those providing the support to ensure accountability.

The Director invited Members to visit the premises to see how Access Harrow operated. She stated that it was important to remember that the move to Access Harrow had not generated a downward spiral in the service provided but that data was available for the first time, which allowed the Council to compare the service provided and to improve it.

The Portfolio Holder for Legal Services and Issues Facing Young People, speaking in his capacity as support Member on Access Harrow, stated that the performance of Harrow's One Stop Shop and the Contact Centre ought to be at a level expected by local residents. The Portfolio Holder paid tribute to the staff who he felt had done a remarkable job in dealing with customers and indicated that he was pleased with the overall performance of Access Harrow. He added that he was looking to improve the Council's website, which was currently sub-optimal. The 'refresh' of the website might enable 'channel migration', which would help reduce the number of telephone calls to Access Harrow. In addition, the revision of the options available on the telephone 'menu', together with the introduction of 'spikes' to deal with high levels of demand on certain days, for example Mondays, might also assist in reducing the numbers of calls. However, improvements to the website were essential before residents would be encouraged to communicate with the Council in different modes, such as emails. Members were informed that the practicalities of returning residents' telephone calls would be looked at.

In response to additional questions from Members, the Director stated that the staff were expected to respond to emails within one working day. Details of the response rates would be sent to Members. The Director explained that the telephone system for Council Tax would be upgraded and would provide callers with information on the estimated waiting time in which their call would be answered, rather than just informing them of their position in the queue. The information would be updated as the caller moved up the queue. Members were briefed on the staffing issues in the Council Tax service.

The Chairman thanked the Portfolio Holder for his contributions to the debate.

**RESOLVED:** That (1) a progress report on the various matters reported in the preamble above be submitted to the next meeting of the Committee;

(2) the Portfolio Holder for Legal Services and Issues Facing Young People be invited to attend the next meeting.

(See also Minute 57(ii)).

70. **Fair Trade:**

The Chairman reported that the Executive Director (Urban Living) offered apologies for not submitting the report on Fair Trade.

**RESOLVED:** That a report on Fair Trade be submitted to a future meeting of the Committee.

71. **MORI Quality of Life Survey 2006:**

An officer introduced the report, which set out the findings of the 2006 Quality of Life Survey undertaken for the Harrow Strategic Partnership by MORI. The full survey was available on the Council's website. It was noted that the data would be entered into the business warehouse component of the Council's Management Information System (MIS) soon.

The officer responded to questions from Members and their suggestions on improving response rates on surveys. He undertook to discuss the implications of changing survey methods with MORI and mentioned that the Community Cohesion Management Group had also expressed an interest in changing the terminology used in surveys. The officer undertook to report back on the outcome of his discussions with MORI.

**RESOLVED:** That (1) the conclusions of the MORI Quality of Life survey be noted;

(2) the use of the accumulating Quality of Life evidence to support the Committee's work programme and as background support, where appropriate, be continued;

(3) consideration be given to how best the results could be utilised by the Council and its Partners;

(4) a report on the outcome of the negotiations with MORI, as reported in the preamble above, be submitted to March/April 2007 meeting of the Committee.

72. **Performance on the Local Area Agreement:**

The Committee considered a report of the Director of People, Policy and Performance, which provided information on the performance to date of the Local Area Agreement (LAA) targets and the Harrow Strategic Partnership (HSP) generally. An officer stated that the LAA had helped strengthen the HSP and he responded to questions from Members as follows:-

- the indicator 'adults who feel able to influence decisions of public bodies' would be renegotiated at the 'refresh' stage of the LAA;
- the Scrutiny Sub-Committees would be provided with the data relevant to their Committee;
- reports on performance would be submitted.

**RESOLVED:** That (1) the submission made by the Harrow Strategic Partnership to the Government Office for London (GOL) constituting a six month review of the Local Area Agreement be noted;

(2) a further report on the performance of the LAA be submitted in six months or soon thereafter;

(3) data relevant to each of the scrutiny Sub-Committees be forwarded to Members of those Committees.

(See also Minute 57(iii)).

73. **Review of Procurement – Planning Information:**

The Committee received a report of the Director of People, Performance and Policy, which set out the scoping and planning systems on the Council's Procurement Transformation Project.

An officer stated that the report requested that Members identified their preferred option and approval of the membership of the project team.

A Member expressed a general concern about the transparency of the review groups set up by Overview and Scrutiny Committee, including this one should Option 2 be agreed. She was of the view that a prescoping of Option 3 was necessary. Some Members did however welcome Option 2 and were of the view that Option 3 would lead to unnecessary duplication of work being carried out elsewhere.

The Chairman indicated that Option 2 appeared to be preferred. She suggested that the project team consider appointing lay experts on this review group and retain flexibility in its working. She expressed 'open' reporting lines. It was noted that the project team would consider the following areas:-

- local procurement/local trade/fair trade;
- empowerment;
- local economy/strategic alliances.

**RESOLVED:** That (1) the information on the Council's Procurement Transformation Project, being carried out as part of the Business Transformation Project programme, be noted;

(2) the aims for the Scrutiny review of procurement, as outlined in the officer report, be agreed;

(3) the preferred option for a review of this Project was Option 2;

(4) the following Members participate in the review:-

- Councillor Richard Romain (Chairman of the Review Group)
- Councillor Jeremy Zeid
- Councillor Mitzi Green
- Councillor Paul Scott (subject to his agreement)
- (a Labour Nominee).

74. **Improvement Approaches in Local Government:**

The Director of People, Performance and Policy introduced the report, which updated Members on the debate on the approach to improvement in Local Government prompted by the recent publication of the Local Government White Paper, the Lyons Review and the Comprehensive Spending Review.

The Director drew Members' attention to the landscape of improvement diagram set out in the report and the changes driven by customers. He emphasised the change driven by local authorities in which scrutiny continued to play a major role.

Members were informed of the essence of the Local Government White Paper and highlighted its key aspects as follows:-

- the White Paper would strengthen Partnerships;
- the Local Area Agreement (LAA) would have a statutory requirement rather than a voluntary one;
- three options on leadership of local authorities would be available, with the Leader/Mayor serving a full 4-year term;
- the powers of scrutiny would be strengthened, which would allow scrutiny to call on other public service agencies to account for their actions;
- London Boroughs would have the powers to create Parish Councils;
- there would be a drive in efficiency and an emphasis on Local Performance Indicators (PIs).

A Member suggested improvements to the presentation of the landscape of improvement diagram, which would reflect the drivers of change realistically.

**RESOLVED:** That (1) the report be noted and a further report on the Local Government White Paper be submitted to the Committee;

(2) the implications for Scrutiny be noted.

75. **Evidence for Accountability Project:**

Members received a report of the Director of People, Performance and Policy, which outlined the invitation from Centre for Evidence Board Policy and Practice, King's College London for scrutiny in Harrow to participate in the Evidence for Accountability Project.

An officer introduced the report and advised of the other organisations invited to participate in the Project. It was noted that the researchers proposed to undertake the project by observing three of the reviews that Scrutiny Sub-Committees had committed to undertake during 2007. She explained that the researchers might interview Members serving on the reviews and examine how evidence was gathered, interpreted and how conclusions were arrived at.

**RESOLVED:** That (1) the recommendations of the Scrutiny Chairmen and Vice-Chairmen to participate in the Evidence for Accountability Project be endorsed;

(2) the following reviews be included in the Project:-

- Cultural Services Programme – Overview and Scrutiny Committee
- 14-19 Strategy Challenge Panel – Children and Young People Scrutiny Sub-Committee
- Energy Use – Light Touch Review – Sustainable Development and Enterprise Scrutiny Sub-Committee.

76. **Overview and Scrutiny Work Programme:**

Further to Recommendation II, it was

**RESOLVED:** That the Work Programme for the Adult Health and Social Care and Children and Young People Scrutiny Sub-Committees be noted.

77. **Any Other Business:**

Urgent Business – CPA/JAR Inspections

The Chairman stated that a paper prepared by herself and the scrutiny unit on Comprehensive Performance Assessment/Joint Area Review inspections would be circulated to Members of Scrutiny, setting scrutiny into the overall context to assist them in the interviews.

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

In accordance with the provisions of Overview and Scrutiny Procedure Rule 6.7(ii)(b), it was

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

(2) at 10.15 pm to continue until 10.30 pm;

(3) at 10.30 pm to continue until 10.35 pm.

(Note: The meeting, having commenced at 7.31 pm, closed at 10.31 pm).

(Signed) COUNCILLOR JEAN LAMMIMAN  
Chairman



APPENDIX 1**Children and Young People Scrutiny Sub-Committee**

The Children and Young People Scrutiny sub-committee has the following powers and duties:

- a) **to hold relevant Portfolio Holders to account on a regular basis;**
- b) to develop a work programme for scrutiny of the children and young people related functions of the Council and partners in consultation with the Overview and Scrutiny Committee;
- c) to have specific responsibility for policy development and scrutiny of the following functions:
  - Every Child Matters outcomes (including health)
  - Education Authority functions
  - Youth participation and engagement
  - Youth offending
  - 0 – 19 learning
  - Early Years Services
  - Extended Schools
- d) to hold the HSP and its management groups to account for the delivery of the Local Area Agreement;
- e) to review and make reports and recommendations to the Executive and the Council in respect of the functions within its terms of reference;
- f) assist the Executive and the Council in the development of the budget and policy framework by analysis of policy issues;
- g) **conduct research and consultation including with community and other appropriate stakeholders in the analysis of policy issues and possible options;**
- h) to consider, report and make recommendations on any matter within the Sub-Committee's terms of reference affecting the area and/or those who live **in**, work **in**, or travel through Harrow;
- i) to conclude reviews promptly, normally within 6 months;
- j) to contribute to the annual report of the work of scrutiny.

## APPENDIX 2

## Appendix One: Agreed topics for the Overview and Scrutiny committee work programme 2006 – 2010

Year One	Year Two	Year Three	Year Four
Budget ½ day challenge panel	Budget ½ day challenge panel	Budget ½ day challenge panel	Budget ½ day challenge panel
Impact of NHS financial situation Working party	Impact of NHS financial situation Working party		
Procurement programme • Management/ monitoring IDR • Delivering savings IDR • Procurement partnerships IDR	Procurement programme • Management/ monitoring IDR • Delivering savings IDR • Procurement partnerships IDR	Procurement programme • Management/ monitoring IDR • Delivering savings IDR • Procurement partnerships IDR	Procurement • Management/ monitoring IDR • Delivering savings IDR • Procurement partnerships IDR
Community Engagement strategy Report	NHP Value for Money LTR		
Community strategy Report	Services for People with Special Educational Needs IDR		
Corporate assessment ½ day challenge panel			
Power enquiry Report			
HR Programme • Motivating and rewarding staff - IDR • Harrow council as an employer IDR • Internal communications LTR • Recruiting BME staff IDR • Revised strategy for people – ½ day challenge • Management development post MMR – LTR			

Year One	Year Two	Year Three	Year Four
Olympics programme	Olympics programme	Olympics programme	Olympics programme
Audit/Risk ½ day challenge panel	Audit/Risk ½ day challenge panel	Audit/Risk ½ day challenge panel	Audit/Risk ½ day challenge panel
MORI outcomes Report	MORI outcomes Report		
Community calls to action – implications of the Local Government white paper(s) Report	Equalities programme	Equalities programme	Equalities programme
Ombudsman’s annual report Report	Ombudsman’s annual report Report	Ombudsman’s annual report Report	Ombudsman’s annual report Report
	Service and corporate planning LTR		
	Embedding performance management LTR		
Culture programme • Cultural strategy ½ day challenge panel • Arts culture Harrow LTR	Culture programme	Culture programme	Culture programme
Investor in People ½ day challenge panel			
Strategic Projects Report initially followed by possible programme of work to investigate the impact of savings proposals.			

## Appendix Two: Agreed topics for the Safer and Stronger Communities scrutiny sub committee work programme 2006 – 2010

Year One	Year Two	Year Three	Year Four
Safer communities programme <ul style="list-style-type: none"> <li>Decision making processes (S17 mainstreaming) - challenge</li> </ul>	Safer communities programme <ul style="list-style-type: none"> <li>RFOC – report</li> <li>People (ASB, social cohesion) – IDR</li> <li>Physical (Licensing, enforcement, envirocrime – IDR</li> </ul>	Safer communities programme <ul style="list-style-type: none"> <li>Fear of crime reassessment – report</li> <li>ASB – IDR</li> <li>Enforcement/ Envirocrime - IDR</li> </ul>	Safer communities programme <ul style="list-style-type: none"> <li>Fear of crime reassessment – report</li> <li>ASB – IDR</li> <li>Enforcement/ Envirocrime – IDR</li> </ul>
CDRP 6 – monthly assessments Report/challenge Anti-poverty programme <ul style="list-style-type: none"> <li>Financial inclusion (links to voluntary sector programme – capacity building)</li> <li>Fuel poverty</li> </ul> IDR	CDRP 6 – monthly assessments Report/challenge	CDRP 6 – monthly assessments Report/challenge	CDRP 6 – monthly assessments Report/challenge
Strategic Objectives for community cohesion Report			
	Voluntary Sector Programme <ul style="list-style-type: none"> <li>Developing a strategic relationship with the sector</li> <li>Future role/purpose of grant funding</li> <li>Arts culture Harrow</li> <li>Increasing the voluntary sector's capacity</li> </ul> Public Realm infrastructure Liveability and public spaces IDR	Voluntary Sector Programme <ul style="list-style-type: none"> <li>Developing a strategic relationship with the sector</li> <li>Future role/purpose of grant funding</li> <li>Arts culture Harrow</li> <li>Increasing the voluntary sector's capacity</li> </ul>	

Year One	Year Two	Year Three	Year Four
	Phone booth provision LTR		
	Area working programme • Extended schools – LTR • Neighbourhood working	Area working programme • Extended schools – LTR • Neighbourhood working	Area working programme • Extended schools – LTR • Neighbourhood working
Community plan Report			

**Appendix Three: Agreed topics for the Sustainable Development and Enterprise scrutiny sub committee work programme 2006 – 2010**

Year One	Year Two	Year Three	Year Four
Impact of changes in Harrow's demography Programme	Impact of changes in Harrow's demography Programme	Impact of changes in Harrow's demography Programme	Impact of changes in Harrow's demography Programme
Drought preparations ½ day challenge panel COMPLETE			
Borough-wide economic development ½ day challenge panel REPORT IN NOVEMBER			
Tourism Review ½ day challenge panel REPORT IN NOVEMBER			
Residents' Information Pack LTR COMPLETE	Energy consumption LTR		
	West London Alliance (ACL case study) IDR	Accessibility LTR	
		Traffic management IDR	
	Housing Programme of work / working pty	Housing Programme of work / working pty	Housing Programme of work / working pty

Appendix Four: Agreed Topics for the Adult Health and Social Care Scrutiny Sub Committee Work Programme 2006 – 2010

THEME		YEAR ONE (2006/07)	YEAR TWO (2007/08)	YEAR THREE (2008/09)	YEAR FOUR (2009/10)
<b>AGREED FOR INCLUSION IN PROGRAMME</b>					
<b>PRIMARY CARE</b>	<ul style="list-style-type: none"> <li>PCT consultation on transferral of services to Alexandra Avenue Health and Social Care Centre</li> <li>➤ Reports in June and September 2006</li> <li>➤ Formal response from committee</li> <li>➤ Members' visit in August 2006</li> </ul>				
	<ul style="list-style-type: none"> <li>Practice Based Commissioning</li> <li>➤ Report in June 2006</li> </ul>	<ul style="list-style-type: none"> <li>Practice Based Commissioning</li> <li>➤ Report</li> </ul>			
	<ul style="list-style-type: none"> <li>Patient choice</li> <li>➤ Report in June 2006</li> </ul>	<ul style="list-style-type: none"> <li>Patient choice</li> <li>➤ Report</li> </ul>			
	<ul style="list-style-type: none"> <li>Public health: Obesity /Diabetic Care</li> <li>➤ Initial report in October 2006</li> <li>➤ In-depth review in early 2007 (joint work with Children and Young People Committee)</li> </ul>	<ul style="list-style-type: none"> <li>Public health: Obesity /Diabetic Care</li> <li>➤ Completion and report back of in-depth review, with Children and Young People Committee</li> </ul>			
	<ul style="list-style-type: none"> <li>Public health: Sexual health strategy</li> <li>➤ Report in September 2006</li> </ul>				

<b>ACUTE CARE</b>	Northwick Park Hospital maternity services ➤ Regular update reports NWL Hospitals Trust – healthcare acquired infection ➤ Annual report on Infection prevention and control in December 2006	Northwick Park Hospital maternity services ➤ Regular update reports		
<b>SOCIAL CARE</b>	Follow up of review of domiciliary care ➤ Challenge Panel in Autumn 2006 Social Services Complaints ➤ Annual report in December 2006			
<b>MENTAL HEALTH</b>	Integrating mental health services ➤ Report in October 2006 Application by C&NW London Mental Health Trust for foundation status ➤ Report in September 2006	Social Services Complaints ➤ Annual report in December 2007 Adults social care VFM ➤ In-depth review	Social Services Complaints ➤ Annual report in December 2008	Social Services Complaints ➤ Annual report in December 2009



<p><b>PARTNERSHIP PROJECTS</b></p>	<p>Implementing the white paper                  &gt; Report in June and September 2006                  Planning for a flu pandemic                  &gt; Report in June 2006                  &gt; Followed by challenge panel in Winter 2006/early2007 (if time permits)</p>	<p>Implementing the white paper                  &gt; Report</p>		
		<p>Impact of rationalisation of services on well – being                  &gt; In-depth review or Health Impact Assessment?                  &gt; Include an older people’s chiroprody services – case study</p>		
		<p>Implementation of leisure card                  &gt; In-depth review                  MORI outcomes                  &gt; Report and possible programme</p>		
<p><b>PERFORMANCE ISSUES</b></p>	<p>Community strategy                  &gt; Report                  Question and Answer session with portfolio holder(s)                  &gt; Special session in March 2007</p>	<p>Question and Answer session with portfolio holder(s)</p>	<p>Question and Answer session with portfolio holder(s)</p>	<p>Question and Answer session with portfolio holder(s)</p>

<p><b>FINANCIAL POSITIONS OF LOCAL NHS TRUSTS</b> (In the long term, these issues will be discussed by the new Standing Review on NHS finances and transfer from the Adult Health and Social Care Committee)</p>	<p>Scrutiny response to Annual Health Check submissions by NHS trusts</p> <ul style="list-style-type: none"> <li>➤ March 2007</li> <li>➤ Harrow PCT finances</li> <li>➤ Quarterly updates and financial recovery plan</li> </ul>	<p>Scrutiny response to Annual Health Check submissions by NHS trusts</p> <ul style="list-style-type: none"> <li>➤ March 2008</li> <li>➤ <i>transferred to the Standing Review of NHS Finances</i></li> </ul>	<p>Scrutiny response to Annual Health Check submissions by NHS trusts</p> <ul style="list-style-type: none"> <li>➤ March 2009</li> <li>➤ <i>transferred to the Standing Review of NHS Finances</i></li> </ul>	<p>Scrutiny response to Annual Health Check submissions by NHS trusts</p> <ul style="list-style-type: none"> <li>➤ March 2010</li> </ul>
	<p>North West London Hospitals Trust – financial recovery plan</p> <ul style="list-style-type: none"> <li>➤ Report</li> </ul>	<p>➤ <i>transferred to the Standing Review of NHS Finances</i></p>	<p>➤ <i>transferred to the Standing Review of NHS Finances</i></p>	
<p><b>PAN-BOROUGH WORK</b></p>	<p>Consultation on reconfiguration of healthcare services in Harrow and Brent</p> <ul style="list-style-type: none"> <li>➤ Report in October 2006</li> <li>➤ Joint Committee possibly in early 2007 (maybe broader than previous JOSOC with Brent and Ealing, depending on patient flow for trust sites)</li> </ul>	<p>Follow up on outcomes of consultation and implementation</p>		

	<p>Consultation on burns and plastics provision at Mount Vernon Hospital</p> <ul style="list-style-type: none"> <li>➤ Liaison with Hillingdon scrutiny in July 2006</li> <li>➤ Response to Trust</li> </ul>					
<b><u>FLEXIBLE - TO BE CONSIDERED FOR PROGRAMME IF TIME ALLOWS</u></b>						
	<p>Integration of council/PCT provision</p> <ul style="list-style-type: none"> <li>➤ Programme – link to work of standing review on NHS finances</li> </ul>	<p>Integration of council/PCT provision</p> <ul style="list-style-type: none"> <li>➤ Programme – link to work of standing review on NHS finances</li> </ul>	<p>Integration of council/PCT provision</p> <ul style="list-style-type: none"> <li>➤ Programme – link to work of standing review on NHS finances</li> </ul>	<p>Integration of council/PCT provision</p> <ul style="list-style-type: none"> <li>➤ Programme – link to work of standing review on NHS finances</li> </ul>	<p>Integration of council/PCT provision</p> <ul style="list-style-type: none"> <li>➤ Programme – link to work of standing review on NHS finances</li> </ul>	<p>Integration of council/PCT provision</p> <ul style="list-style-type: none"> <li>➤ Programme – link to work of standing review on NHS finances</li> </ul>
	<p>Planning for a flu pandemic</p> <ul style="list-style-type: none"> <li>➤ Challenge panel in Winter 2006/early2007</li> </ul>					
	<p>Royal National Orthopaedic Hospital developments</p> <ul style="list-style-type: none"> <li>➤ Report</li> </ul>					
	<p>Review of catering services</p> <ul style="list-style-type: none"> <li>➤ Report</li> </ul>					
	<p>ACL provision for people with learning disability</p> <ul style="list-style-type: none"> <li>➤ In-depth review – as this is a cross cutting topic, it may be considered elsewhere</li> </ul>					
	<p>Eye care for older people</p> <ul style="list-style-type: none"> <li>➤ Report plus further work</li> </ul>					

## Appendix Five: Agreed Topics for the Children &amp; Young People Scrutiny Sub-Committee Work Programme 2006–10

THEME	YEAR ONE (2006/07)	YEAR TWO (2007/08)	YEAR THREE (2008/09)	YEAR FOUR (2009/10)
<b>AGREED FOR INCLUSION IN PROGRAMME</b>				
<b>EVERY CHILD MATTERS</b>	ECM outcome - achieve economic well-being ➤ Report in April 2007	ECM outcome – enjoy and achieve ➤ Report ECM outcome – make a positive contribution ➤ Report	ECM outcome – be healthy ➤ Report ECM outcome – stay safe ➤ Report	NSF on children's health and maternity ➤ Report
<b>ISSUES FOR CHILDREN'S SERVICES</b>	Children and Young People Plan ➤ Update report in February 2007 Special Educational Needs ➤ Update in June 2006 Healthy Lifestyles - Review of catering services (including reference to provision of drinking water in schools) ➤ Report in October 2006			
	Development of a Children's Trust ➤ Report in 2007	Development of a Children's Trust		
	Looked after children ➤ Light touch review, reporting back in October 2006	Looked After Children ➤ Follow up of implementation of recommendations		
	Sixth form collegiate	Sixth form collegiate	Sixth form collegiate	Sixth form collegiate

THEME	YEAR ONE (2006/07)	YEAR TWO (2007/08)	YEAR THREE (2008/09)	YEAR FOUR (2009/10)
	<ul style="list-style-type: none"> <li>➤ Report in June 2006</li> </ul>	<ul style="list-style-type: none"> <li>➤ Report</li> <li>14 – 19 strategy</li> <li>➤ ½ day challenge panel</li> </ul>	<ul style="list-style-type: none"> <li>➤ In depth review</li> </ul>	
	<p>Parent partnership services</p> <ul style="list-style-type: none"> <li>➤ Report in February 2007</li> </ul>			
<b>ASSESSING PERFORMANCE</b>	<p>Joint Area Review self assessment</p> <ul style="list-style-type: none"> <li>➤ ½ day challenge panel – conducted by Overview and Scrutiny Committee in September 2006, as part of Corporate Assessment/JAR self assessment</li> </ul>			
	<p>Joint Area Review outcomes and action plan</p> <ul style="list-style-type: none"> <li>➤ Report in February 2007</li> </ul>	<p>Post Joint Area Review programme</p> <ul style="list-style-type: none"> <li>➤ Report</li> </ul>		
	<p>Key Performance Indicators</p> <ul style="list-style-type: none"> <li>➤ Report in December 2006 - (un)verified, for use in preparation for Question and Answer session with portfolio holder(s)</li> </ul>	<p>Key Performance Indicators (Un)verified – for use in preparation for Question and Answer session with portfolio holder(s)</p>	<p>Key Performance Indicators (Un)verified – for use in preparation for Question and Answer session with portfolio holder(s)</p>	<p>Key Performance Indicators (Un)verified – for use in preparation for Question and Answer session with portfolio holder(s)</p>
		<p>Annual Performance Assessment</p> <ul style="list-style-type: none"> <li>➤ ½ day challenge panel</li> </ul>	<p>Annual Performance Assessment</p> <ul style="list-style-type: none"> <li>➤ ½ day challenge panel</li> </ul>	<p>Annual Performance Assessment</p> <ul style="list-style-type: none"> <li>➤ ½ day challenge panel</li> </ul>
<b>ACHIEVEMENT AND ATTAINMENT</b>	<p>Achievement and attainment – including</p>	<p>Achievement and attainment – including</p>	<p>Achievement and attainment – including</p>	<p>Achievement and attainment –</p>

THEME	YEAR ONE (2006/07)	YEAR TWO (2007/08)	YEAR THREE (2008/09)	YEAR FOUR (2009/10)
	performance information for schools ➤ Report in February 2007	performance information for schools ➤ Report in February 2008	performance information for schools ➤ Report in February 2009	including performance information for schools ➤ Report in February 2010
<b>COMMUNITY ISSUES</b>	School nursing ➤ Challenge Panel in Autumn 2006  Extended schools ➤ Update report in October 2006	Extended schools ➤ Update report in September/ October 2007 ➤ Possible crossover opportunity with Overview & Scrutiny Committee work on New Harrow Project		
	Community strategy ➤ Consultation on refreshed strategy in October 2006			
	Obesity ➤ In depth review, joint work with Adult Health and Social Care Committee in 2007	Obesity (continued) ➤ In depth review, joint work with Adult Health and Social Care Committee in 2007		
<b>SCHOOLS</b>		Future of schools – demography ➤ In depth review	Schools' organisation ➤ In depth review – linked to demography review	
		School Music Service ➤ Review of impact of reduced budgets on music provision		

THEME	YEAR ONE (2006/07)	YEAR TWO (2007/08)	YEAR THREE (2008/09)	YEAR FOUR (2009/10)
<b>HOLDING DECISION MAKER(S) TO ACCOUNT</b>	Question and Answer session with portfolio holder(s) ➤ Special meeting in January 2007	Question and Answer session with portfolio holder(s)	Question and Answer session with portfolio holder(s)	Question and Answer session with portfolio holder(s)
<b>FLEXIBLE - TO BE CONSIDERED FOR PROGRAMME IF TIME ALLOWS</b>				
<b>INDIVIDUAL TOPICS</b>	Young people's sexual health ➤ In depth review Children and Young People's plan ➤ 1/2 day challenge panel or report Children's health specific ➤ 1/2 day challenge panel	School exclusions ➤ Report Youth engagement In depth review, using policing and youth as a case study Early years and childcare ➤ In depth review		

APPENDIX 3SCRUTINY SUB COMMITTEES

(Membership in order of political group nominations)

ConservativeLabour**(1) SAFER & STRONGER COMMUNITIES (7)**  
(Formerly Strengthening Communities Sub-Committee)**(4)****(3)****I.**  
**Members****Robert Benson  
G Chowdhury  
Vina Mithani  
Anthony Seymour (CH)****Mano Dharmarajah  
Mrs Sasi Suresh  
Keeki Thammaiah (VC) \*****II.**  
**Reserve**  
**Members**1. Salim Miah  
2. Mrs Lurline Champagnie  
3. Narinder Singh Mudhar  
4. Ashok Kulkarni1. Dhirajlal Lavingia  
2. B E Gate  
3. Navin Shah**(2) ADULT HEALTH AND SOCIAL CARE (7)**  
(Formerly Health and Social Care Sub-Committee)**(4)****(3)****I.**  
**Members****Mrs Lurline Champagnie  
Julia Merison  
Mrs Myra Michael (CH)  
Joyce Nickolay****Margaret Davine  
David Gawn  
Mrs Rekha Shah (VC) \*****II.**  
**Reserve**  
**Members**1. Robert Benson  
2. Ashok Kulkarni  
3. Dinesh Solanki  
4. Salim Miah1. Mitzi Green  
2. Keith Ferry  
3. Keeki Thammaiah



**(3) CHILDREN AND YOUNG PEOPLE (11)**  
(Formerly Lifelong Learning Sub-Committee)

(8)

(3)

**I.**  
**Members**

**G Chowdhury**  
**Jean Lammiman**  
**Julia Merison**  
**Narinder Singh Mudhar**  
**Dinesh Solanki**  
**Yogesh Teli**  
**Mark Versallion (CH)**  
**Jeremy Zeid**

**B E Gate (VC) \***  
**Mitzi Green**  
**David Perry**

**II.**  
**Reserve**  
**Members**

1. Mrs Lurline Champagnie  
2. Salim Miah  
3. Mrs Myra Michael  
4. Anthony Seymour  
5. Joyce Nickolay  
6. Vina Mithani  
7. Janet Cowan  
8. Richard Romain

1. Ms Nana Asante  
2. Bill Stephenson  
3. Mrs Sasi Suresh

Voting Co-opted Members:

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

**(4) SUSTAINABLE DEVELOPMENT AND ENTERPRISE (7)**  
(Formerly Environment and the Economy Sub-Committee)

(4)

(3)

**I.**  
**Members**

**Ashok Kulkarni**  
**Vina Mithani**  
**Narinder Singh Mudhar**  
**Richard Romain (CH)**

**Ms Nana Asante**  
**Graham Henson**  
**Jerry Miles (VC) \***

**II.**  
**Reserve**  
**Members**

1. Dinesh Solanki  
2. Yogesh Teli  
3. Joyce Nickolay  
4. Jeremy Zeid

1. Mano Dharmarajah  
2. Phillip O'Dell  
3. Dhirajlal Lavingia

**(5) CALL-IN SUB-COMMITTEE (5)****(3)****(2)****I.  
Members****Jean Lammiman  
Anthony Seymour (CH)  
Mark Versallion****B E Gate  
Mitzi Green \*****II.  
Reserve  
Members**

- |        |   |   |
|--------|---|---|
| †<br>† | 1. Jeremy Zeid<br>2. Richard Romain<br>3. Mrs Lurline Champagnie<br>4. Dinesh Solanki<br>5. Julia Merison | 1. Jerry Miles<br>2. Graham Henson<br>3. Keeki Thammaiah<br>† 4. Mrinal Choudhury |
|--------|---|---|

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

**(6) CALL-IN SUB-COMMITTEE (Education)****To nominate 7 Conservative Members and 9 Reserve Members****(7)****(2)****I.  
Members****Jean Lammiman  
Anthony Seymour (CH)  
Mark Versallion  
Jeremy Zeid  
Richard Romain  
Mrs Lurline Champagnie  
Dinesh Solanki****B E Gate  
Mitzi Green \*****II.  
Reserve  
Members**

- |  |   |
|--|---|
| 1. Julia Merison<br>2. G Chowdhury<br>3. Narinder Singh Mudhar<br>4. Vina Mithani<br>5. Joyce Nickolay<br>6. Salim Miah<br>7. Yogesh Teli<br>8. Ashok Kulkarni<br>9. Janet Cowan | 1. Jerry Miles<br>2. Graham Henson<br>3. Keeki Thammaiah<br>4. Mrinal Choudhury |
|--|---|

Voting Co-opted Members:

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

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

CH

= Chair

\*

= Denotes Group Members for consultation on Administrative Matters

SCRUTINY  
SUB-COMMITTEES



**SUSTAINABLE DEVELOPMENT AND  
ENTERPRISE SCRUTINY SUB-COMMITTEE****28 NOVEMBER 2006**

Chairman: \* Councillor Richard Romain

Councillors:	* Ms Nana Asante	* Jerry Miles
	* Graham Henson	* Mrs Vina Mithani
	* Ashok Kulkarni	* Narinder Singh Mudhar

\* Denotes Member present

[Note: Councillor Jean Lammiman also attended this meeting in a participatory capacity].

**PART I - RECOMMENDATIONS****PART II - MINUTES**31. **Attendance by Reserve Members:****RESOLVED:** To note that there were no Reserve Members in attendance at this meeting.32. **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.33. **Arrangement of Agenda:****RESOLVED:** That all items be considered with the press and public present.34. **Minutes:****RESOLVED:** That the minutes of the meetings held on 6 July 2006 and 25 September 2006 be taken as read and signed as correct records.35. **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 (Part 4F of the Constitution) respectively.36. **References from Council and Other Committees/Panels:****RESOLVED:** To note that no references were received from Council or other Committees or Panels.37. **Terms of Reference of the Sustainable Development and Enterprise Scrutiny Sub-Committee:****RESOLVED:** That the amended Terms of Reference of the Sub-Committee, adopted by Council on 19 October 2006, be noted.38. **Congestion and Parking:**

The Sub-Committee received a report of the Executive Director (Urban Living), which set out an overview on congestion and parking issues and considered the areas of Stanmore, Wealdstone and Harrow town centres in particular.

During the discussion on the report, the following issues were raised:

- Officers advised that a plan was in place which aimed to review 21 of the 35 signal junctions in the Borough this year. The remaining 14 had been installed within the last two years and so would not be reviewed at this stage.
- In response to questions from Members, officers confirmed that all planned maintenance works were coordinated and this had resulted in occasions when shared use of trenches had reduced the time that roads were out of use. It was the responsibility of utility companies to provide signage advising highway users of works taking place and any alternative routes. Members expressed

the view that there was room for improvement in this area and requested that more be done to improve communication with residents in relation to street works.

- Officers advised that VAT was charged on car parking fees but street parking was exempt, and that the Council's charges were in competition with private parking companies.
- Some Members expressed the view that they were not committed to the statement in paragraph 65 on page 17 of the agenda, which stated that there was "an aspiration to retain parking supply in line with demand, particularly in respect of short stay provision". Members felt it was important to understand the balance of the Borough's needs in relation to parking.
- Officers expressed the view that a park and ride scheme was not appropriate for Harrow, as the Borough aimed to attract shoppers by having retail-friendly short-stay car parking. Some Members expressed the view that increasing long-term parking could create more congestion, which Harrow's road network would not be able to cope with. Any increase in long-term parking would depend upon the flexibility of businesses and car users to ensure that roads did not become gridlocked with people travelling at the same time each day.
- Members were in favour of officers devoting time to small scale parking restriction and Controlled Parking Zone (CPZ) areas and provided anecdotal evidence that residents wanted more attention paid to small local issues. Officers advised that additional resources would be required to fund the extra staff needed to manage a large number of small schemes as opposed to fewer large ones.
- Members discussed the tension between traffic and pedestrians and expressed the view that 'desire lines' should be satisfied in any scheme.

The Sub-Committee were in agreement that a balance was required between the needs of residents, pedestrians, road users and businesses.

**RESOLVED:** That (1) officers be requested to report to a future meeting on communication with residents, businesses and other organisations in relation to green travel options;

(2) the Portfolio Holder for Urban Living – Community Safety and Public Realm be advised of the concerns expressed by Members in relation to advance warning of street works and that officers be asked to investigate and implement, where possible, ways to improve communication with residents, businesses and motorists;

(3) officers be requested to investigate the implications of recent tribunal decisions regarding the removal of VAT from car parking charges and to take appropriate action when finally determined;

(4) officers be requested to consult with the Council's partners in relation to long-term parking strategy in Harrow Town Centre and report back to a future meeting of the Sub-Committee;

(5) the Traffic and Road Safety Advisory Panel be made aware of the Sub-Committee's wish to encourage positive use of small scale parking restriction and CPZ areas;

(6) the Portfolio Holder for Urban Living – Community Safety and Public Realm and the Traffic and Road Safety Advisory Panel be made aware of the Sub-Committee's view that future schemes should take into consideration desire lines to balance the potential conflicts between vehicles and pedestrians and maximisation of traffic flow

[Note: Prior to discussing this item, the Chairman noted that Councillor Mrs Kinnear, who had been invited to attend the meeting for this item, had submitted her apologies, as she had a prior engagement].

39. **Performance on the Local Area Agreement:**

The Sub-Committee received a report of the Director of People, Performance and Policy, which provided information on the performance to date on the Local Area Agreement (LAA) targets and the Harrow Strategic Partnership (HSP) generally.

**RESOLVED:** To (1) note the submission made by the HSP to the Government Office for London constituting a six-month review of the LAA;

(2) receive a further report in six months.

40. **Update on the Community Plan:**

The Sub-Committee received a report of the Director of People, Performance and Policy, which provided an update on progress made in adopting a refreshed Community Plan.

The officer indicated that seven of the ten aims listed on page 74 of the agenda related to the work of the Sub-Committee. The officer advised that the document was 'live' and would be subject to further reviews in order to evaluate targets met and ways in which the Council had evolved.

**RESOLVED:** To (1) note the progress made in adopting the refreshed Community Plan; and

(2) monitor progress made in achieving the relevant medium-term ambitions over the next four years.

41. **Borough-Wide Economic Development and Tourism Challenge Panels:**

The Sub-Committee received a report of the Director of People, Performance and Policy which set out the findings of the challenge panels held in October and November 2006 on Borough-wide economic development and tourism.

During discussion on the report an amendment to the officer's recommendation was moved and it was

**RESOLVED:** That (1) the report and its findings be endorsed;

(2) officers be requested to consider the report's findings in the development of Council policy in this area;

(3) Councillors Jerry Miles (Chairman of the Tourism Panel) and Richard Romain (Chairman of the Economic Development Panel) request a meeting with the Portfolio Holder for Planning, Development and Enterprise to present and discuss the report and its findings;

(4) a report be submitted to the Overview and Scrutiny Committee following the meeting detailed at (3) above.

42. **Demography and Demographic Change – Scope:**

The Sub-Committee received a report of the Director of People, Performance and Policy which set out the scoping and planning arrangements for the review of demography and demographic change.

Members expressed the view that the second paragraph of the 'Equality Implications' on page 143 of the agenda should be removed.

The Chairman expressed the view that this was a flagship review and that it was important for Members to be involved from the outset. In response to concerns expressed by the Chairman that not enough Members had yet volunteered to form the membership of the review group, officers advised that a seminar on Vitality Profiles, scheduled to take place on 12 December 2006, would provide Members with further information relevant to the review.

An amendment to the officer's recommendation was moved and it was

**RESOLVED:** That (1) the scope for the review, as set out at Appendix 1 to the officer's report with supporting material at Appendix 2, be approved;

(2) the list of projects proposed to be undertaken post-2007, as set out at Appendix 3 to the officer's report, be noted;

(3) the Vitality Profile seminar be rescheduled for January 2007;

(4) the Chairman write to Members inviting them to (i) attend the Vitality Profile seminar and (ii) volunteer for membership of the review group;

(5) an update report on the review be submitted in March 2007, and subsequently the final report of the review group be submitted in July 2007.

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

(Signed) COUNCILLOR RICHARD DAVID ROMAIN  
Chairman



MEMBER  
DEVELOPMENT  
PANEL



## MEMBER DEVELOPMENT PANEL

16 NOVEMBER 2006

Chairman: \* Councillor Jean Lammiman

Councillors: \* B E Gate \* Paul Osborn  
Phillip O'Dell

\* Denotes Member present

**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**13. **Attendance by Reserve Members:**

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

14. **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.

15. **Arrangement of Agenda:**

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

16. **Minutes:**

**RESOLVED:** That the minutes of the meeting held on 13 September 2006 be deferred until printed in the Council Bound Volume.

17. **Public Questions:**

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

18. **Petitions:**

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

19. **Deputations:**

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

20. **Annual Development Programme:**

The officer introduced the report of the Director of People, Performance and Policy, which included an updated version of the Annual Development Programme which had been revised following comments made by the Panel at its meeting on 13 September 2006. Members discussed the amendments made to the programme and were satisfied that no further modifications were required.

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

21. **Member Development Budget:**

The officer provided a verbal update on the Member Development Budget, which included the following points:

- The budget was being spent cross-party.
- £50,490 had been allocated for 2006/07 and officers were confident that this amount would be secured again in the next budget round.
- Most of the funds had been allocated already and a breakdown of major commitments was provided. The most significant single spending area had been the Member Induction Programme.
- The officer confirmed that Members elected at a by-election received the same induction briefing and pack.

The Panel highlighted the success of the Member Induction Programme and expressed the view that the Council's investment in this area was to be commended as it sent a strong message that Harrow was committed to training its Elected Members. It was noted that officers were keen to link the Member Development Programme with other learning and development activities, such as the Managers' Conferences.

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

22. **Member Development Strategy and Learning and Development Programme for Elected Members:**

The officer provided a verbal update on the above and tabled a draft outline of a suggestion for a Member Development event. The officer explained that the proposed event would take the form of a challenging forum in which Members, officers and the Council's partners could work closely together to discuss solutions to real-life scenarios. This represented a move towards consolidating Member training into less frequent but more engaging sessions, which would last approximately two hours and take place four to six times a year.

The Panel expressed their support of the proposed events. The Chairman noted that the proposed format would emphasise Elected Members' role as community leaders actively involved in real-life debates.

The Panel agreed that a possible date for the event would be Tuesday 6 February 2007, which would require the cancellation of the Member Development Panel meeting due to be held that evening. The minimum attendance required to make the session workable would be twenty delegates and ten Members.

Members discussed the suggested format for the event in some detail and

**RESOLVED:** That (1) the first event, to be held in January/February 2007, would have as its subject 'Safer Communities/Fear of Crime';

(2) officers be requested to provide a detailed and workable design for the event, for discussion by the Panel at an informal meeting to be held on Monday 27 November 2007 at 6.30 pm.

23. **Any Other Business:**

**Corporate Assessment (CA)**

The Chairman reported that she would be meeting with CA inspectors to discuss Member Development. The inspectors would be provided with a copy of the Induction Handbook and other documents related to the Member Development Programme.

(Note: The meeting having commenced at 6.00 pm, closed at 7.25 pm)

(Signed) COUNCILLOR JEAN LAMMIMAN  
Chairman

DEVELOPMENT  
MANAGEMENT  
COMMITTEE



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**REPORT OF DEVELOPMENT MANAGEMENT COMMITTEE**


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**MEETING HELD ON 23 NOVEMBER 2006**


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Chairman: \* Councillor Marilyn Ashton

Councillors: \* Don Billson \* Narinder Singh Mudhar  
 \* Keith Ferry \* Joyce Nickolay  
 \* Thaya Idaikkadar \* Mrs Rekha Shah (3)  
 \* Manji Kara

\* Denotes Member present  
 (3) Denotes category of Reserve Member

[Note: Councillors Paul Osborn and Mrs Anjana Patel also attended this meeting to speak on the item indicated at Minute 5 below].

**PART I - RECOMMENDATIONS - NIL**
**PART II - MINUTES**
**1. Appointment of Chairman and Membership of the Development Management Committee:**

**RESOLVED:** To note (1) the appointment of Councillor Marilyn Ashton at the meeting of the Council on 19 October 2006 under the provisions of Council Procedure Rule 1.1 (xii) as Chairman of the Development Management Committee for the Municipal Year 2006/07;

(2) the membership of the new Development Management Committee.

**2. 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 Mrinal Choudhury	Councillor Mrs Rekha Shah

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

Nominations were received and seconded for Councillors Thaya Idaikkadar and Joyce Nickolay. Having been put to a vote it was

**RESOLVED:** To appoint Councillor Joyce Nickolay as Vice-Chairman of the Development Management Committee for the Municipal Year 2006/07.

**4. Briefing Paper for the First Meetings of the Strategic Planning Committee and the Development Management Committee:**

The Committee having considered a briefing paper in relation to the above it was

**RESOLVED:** That (1) in order to ensure compliance with the requirement to finish meetings no later than 11.00pm, the Committee would consider carefully whether to commence any new business/item after 10.00pm and, if necessary, defer business rather than risk not completing the consideration by 11.00pm;

(2) the terms of reference of the Strategic Planning Committee and the Development Management Committee be noted;

(3) the definitions of 'major' and 'minor' contained within the briefing paper be endorsed and noted in relation to the distinction in the terms of reference of the two committees;

(4) the proposed meeting dates for the two committees, provided to Council on 19 October 2006, be endorsed and noted;

(5) it be noted that there would be a single briefing for all members of the Committee;

(6) it be noted that officers would be consulting Members on potential revisions to the Scheme of Delegation.

5. **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 Paul Osborn	Planning Applications 2/01, 2/02 and 2/03
Councillor Mrs Anjana Patel	Planning Application 2/13

6. **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 3/01 – 421 Alexandra Avenue, Harrow  
Councillor Thaya Idaikkadar declared a prejudicial interest in the above application arising from the fact that he knew the applicants. Accordingly, he would leave the room and take no part in the discussion or decision-making on the item.
- (ii) Planning Application 5/02 – RAF Bentley Priory, Priory Drive, Stanmore  
Councillor Marilyn Ashton declared a prejudicial interest in the above application arising from the fact that she lived next door to the site. Accordingly, she would leave the room and take no part in the discussion or decision-making on the item.

7. **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>
Addendum	This contained information relating to various items on the agenda and was based on information received after the agenda's despatch. It was admitted to the agenda in order to enable Members to consider all information relevant to the items before them for decision.

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

(3) it be noted that agenda item 16 – Effectiveness of Planning Enforcement had appeared on the agenda in error and was formally withdrawn.

8. **Minutes:**

**RESOLVED:** That the Chairman be given authority to sign the minutes of the meeting held on 17 October 2006 of the Development Control Committee (being the predecessor body to this Committee for the consideration of minor matters) as a correct record once printed in the Council Bound Volume.

9. **Public Questions:**

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

10. **Petitions:**

Councillor Mrs Joyce Nickolay indicated that she had received the following request from a resident:

“With reference to the minutes of the meeting of the Development Control Committee held on 6 and 11 September 2006, please could it be noted under Minute 77 (ii) Petition opposing the scale of the proposed redevelopment of Strongbridge Close that the petition was presented by Ms Jo Boyle and had been signed by residents of the following roads: Twyford Road, Welbeck Road, Tintern Way, Furness Road, Chatsworth Gardens, Oakington Avenue, The Retreat, Capthorne Avenue, Elm Grove, Romney Close, Romney Drive, The Drive, Fairview Crescent and Rayners Lane in addition to the residents of Fairview Crescent”.



The Committee noted that they had no authority to amend the minutes of the 6 and 11 September 2006 Development Control Committee meeting, which had been agreed by that Committee at its meeting on 5 October 2006.

**RESOLVED:** (1) That the above request be noted;

(2) it be noted that no petitions were received at this meeting under the provisions of Committee Procedure Rule 16.

11. **Deputations:**

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

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

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

13. **Representations on Planning Applications:**

**RESOLVED:** That, in accordance with the provisions of Committee Procedure Rule 18 (Part 4B of the Constitution), representations be received in respect of items 2/01, 2/02, 2/03, 2/06 and 2/13 on the list of planning applications.

14. **Planning Applications Received:**

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

15. **Enforcement Notices Awaiting Compliance:**

The Committee received a report of the Head of Planning which listed enforcement notices awaiting compliance.

**RESOLVED:** (1) To note the report;

(2) that the Enforcement Officer be invited to attend Member briefings.

16. **Member Site Visits:**

**RESOLVED:** That (1) Member visits to the following sites take place on Saturday 9 December 2006 from 9.30am:

2/08 – 16A Uxbridge Road, Stanmore  
2/14 and 2/15 – Priory House, 95 Clamp Hill, Stanmore

(2) the Democratic Services Officer be requested to write to Members of the Committee to confirm the order and timing of the visits.

(Note: The meeting, having commenced at 6.30 pm, closed at 9.15 pm).

(Signed) COUNCILLOR MARILYN ASHTON  
Chairman

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

<b>LIST NO:</b>	2/01	<b>APPLICATION NO:</b>	P/1931/06/DFU
<b>LOCATION:</b>	East End Farm, Moss Lane, Pinner		
<b>APPLICANT:</b>	T Clapp (Foundation Architecture) for Mr & Mrs B Leaver		
<b>PROPOSAL:</b>	Demolition of Barns D, E and F; two storey detached dwelling and single storey linked outbuilding; conversion of Barn C to ancillary residential use for new dwelling		
<b>DECISION:</b>	<p>Had no appeal been lodged, permission for the development described in the application and submitted plans, as amended on the Addendum, would have been REFUSED for the following reason:</p> <p>(i) The proposed house that would replace Barn F will be detrimental to the residential amenities of numbers 92 and 94 Moss Lane, given the close proximity to the rear boundary and side boundary of the properties abutting the development, and by reason of the height, scale and mass of the roofline thereof. The development will dominate the rear of the garden of number 92 and will be visually obtrusive to the detriment of the visual amenity of the occupiers of the properties in question.</p> <p>[Notes: (1) Prior to discussing the above application, the Committee received representations from an objector, and the applicant's representative, which were noted;</p> <p>(2) during discussion on the above item, it was moved and seconded that the application be refused for the reason given. Upon being put to a vote, this was carried;</p> <p>(3) three members of the Committee having demanded a recorded vote by roll call, in accordance with Committee Procedure Rule 21.4, it was noted that Councillors Marilyn Ashton, Don Billson, Thaya Idaikkadar, Manji Kara, Narinder Singh Mudhar and Joyce Nickolay had voted for the motion, and Councillors Keith Ferry and Mrs Rekha Shah had abstained;</p> <p>(4) the Head of Planning had recommended that the above application be granted, had no appeal been lodged].</p>		

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<b>LIST NO:</b>	2/02	<b>APPLICATION NO:</b>	P/1935/06/DLB
<b>LOCATION:</b>	East End Farm, Moss Lane, Pinner		
<b>APPLICANT:</b>	T Clapp (Foundation Architecture) for Mr & Mrs B Leaver		
<b>PROPOSAL:</b>	Listed Building Consent: Demolition of Barns D, E and F. Repairs and alterations to Barn C to create ancillary residential use, including the installation of a WC		
<b>DECISION:</b>	<p>Had no appeal been lodged, permission for the development described in the application and submitted plans, as amended on the Addendum, would have been REFUSED for the following reason:</p> <p>(i) The proposed demolition, in the absence of an acceptable proposal for the replacement of the building(s), would be inappropriate and detrimental to the appearance and character of this part of the East End Farm Conservation Area and the adjacent Listed Buildings, contrary to policies SD1, SD2, D4, D11, D13, D14, D15 and D16 of the Harrow Unitary Development Plan.</p> <p>[Notes: (1) Prior to discussing the above application, the Committee received representations from an objector, and the applicant's representative, which were noted;</p>		

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

(3) the Head of Planning had recommended that the above application be granted, had no appeal been lodged].

---

<b>LIST NO:</b>	2/03	<b>APPLICATION NO:</b>	P/1941/06/DCA
<b>LOCATION:</b>	East End Farm, Moss Lane, Pinner		
<b>APPLICANT:</b>	T Clapp (Foundation Architecture) for Mr & Mrs B Leaver		
<b>PROPOSAL:</b>	Conservation Area Consent: Demolition of Barns D, E and F		
<b>DECISION:</b>	Had no appeal been lodged, permission for the development described in the application and submitted plans, as amended on the Addendum, would have been REFUSED for the following reason:		
	(i) The proposed demolition, in the absence of an acceptable proposal for the replacement of the building(s), would be inappropriate and detrimental to the appearance and character of this part of the East End Farm Conservation Area and the adjacent Listed Buildings, contrary to policies SD1, SD2, D4, D11, D13, D14, D15 and D16 of the Harrow Unitary Development Plan.		
	[Notes: (1) Prior to discussing the above application, the Committee received representations from an objector, and the applicant's representative, which were noted;		
	(2) during discussion on the above item, it was moved and seconded that the application be refused for the reason given. Upon being put to a vote, this was carried unanimously;		
	(3) the Head of Planning had recommended that the above application be granted, had no appeal been lodged].		

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<b>LIST NO:</b>	2/04	<b>APPLICATION NO:</b>	P/2739/05/CFU
<b>LOCATION:</b>	Land at Holly Grove, Hatch End		
<b>APPLICANT:</b>	Gillett Macleod Partnership for Mr T Gallagher		
<b>PROPOSAL:</b>	Construction of 5 detached houses with access from Holly Grove		
<b>DECISION:</b>	DEFERRED to enable details of 'Lifetime Homes' to be specified in the application for approval by the Committee.		

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<b>LIST NO:</b>	2/05	<b>APPLICATION NO:</b>	P/2635/06/CFU
<b>LOCATION:</b>	3 Pine Close, Stanmore		
<b>APPLICANT:</b>	Sergios Sergiou for Mr Ishrat Malik		
<b>PROPOSAL:</b>	1 <sup>st</sup> floor/2 storey side extension, two storey front extension, external alterations including provision of balustrading over single storey front projection		
<b>DECISION:</b>	GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported.		

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<b>LIST NO:</b>	2/06	<b>APPLICATION NO:</b>	P/1017/06/CFU
<b>LOCATION:</b>	Land rear of 123-135 Whitchurch Lane, Edgware		



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**LIST NO:** 2/10                      **APPLICATION NO:** P/2177/06/CFU  
**LOCATION:** Bridle Cottage, Brookshill Drive, Harrow Weald  
**APPLICANT:** Mr N Fitzgerald  
**PROPOSAL:** Installation of timber gate along the street frontage  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, subject to the condition and informatives reported.

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**LIST NO:** 2/11                      **APPLICATION NO:** P/1707/06/CFU  
**LOCATION:** The Hollies, 36 Oxhey Lane  
**APPLICANT:** Jonathan Fiszpan AGI Arts for Mr & Mrs D Gold  
**PROPOSAL:** Conservatory at rear and demolition of existing garden shed  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, subject to the condition and informative reported.

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**LIST NO:** 2/12                      **APPLICATION NO:** P/2742/06/CFU  
**LOCATION:** Green Island Lodge, Hillside Road, Pinner Hill  
**APPLICANT:** Andrew Ross for Mr Mevan Alwis  
**PROPOSAL:** First floor rear extension and alterations at rear to form balcony (revised)  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported.

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**LIST NO:** 2/13                      **APPLICATION NO:** P/2029/06/DFU  
**LOCATION:** 8 Welbeck Road, South Harrow  
**APPLICANT:** Mr Pranam Shah for Mr A Akilan  
**PROPOSAL:** Single and two storey side to rear extension to form new dwelling: single and two storey rear extension to existing dwelling (revised)  
**DECISION:** REFUSED permission for the development described in the application and submitted plans, as amended on the Addendum, for the following reason:

- (i) The proposed additional unit would amount to an over-intensive development and occupation of this site and would give rise to an unreasonable increase in activity and associated disturbance to the detriment of the amenity of the neighbouring occupiers and the character of the locality.

[Notes: (1) The Committee having noted the officer's recommendation, on the Addendum, that the application be deferred for clarification of parking spaces, access and refuse details, it was moved and seconded that the application be not deferred. Having been put to a vote, this was carried;

(2) prior to discussing the above application, the Committee received a representation from an objector, which was noted;

(3) there was no indication that the applicant or their representative was present and wished to respond;

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

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**LIST NO:** 2/14                      **APPLICATION NO:** P/2299/06/CFU  
**LOCATION:** Priory House, 95 Clamp Hill, Stanmore  
**APPLICANT:** Jeremy Peter Associates for L Johnson  
**PROPOSAL:** Conversion of stable block into self-contained dwellinghouse, including demolition of conservatory, single storey rear extension, external alterations, use of coach house and car port for ancillary parking  
**DECISION:** DEFERRED for Member site visit.  
(See also Minute 16).

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**LIST NO:** 2/15                      **APPLICATION NO:** P/2300/06/CLB  
**LOCATION:** Priory House, 95 Clamp Hill, Stanmore  
**APPLICANT:** Jeremy Peter Associates for L Johnson  
**PROPOSAL:** Listed Building Consent: Conversion of stable block into self-contained dwellinghouse, including demolition of conservatory, single-storey rear extension, internal and external alterations; use of coach house and car port for ancillary parking  
**DECISION:** DEFERRED for Member site visit.  
(See also Minute 16).

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**LIST NO:** 2/16                      **APPLICATION NO:** P/1909/06/DLB  
**LOCATION:** Wilsmere House, Wilsmere Drive, Harrow  
**APPLICANT:** Salmon Speed Architects for Barchester Healthcare Ltd  
**PROPOSAL:** Listed Building Consent: Single storey extensions to east and west elevations; internal alterations to existing rooms  
**DECISION:** DEFERRED at officers' request to be put before Committee on 13 December 2006 alongside the parallel applications for planning permission P/2094/06/DFU.

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**LIST NO:** 2/17                      **APPLICATION NO:** P/2731/06/DVA  
**LOCATION:** Anmer Lodge, Coverdale Close, Stanmore  
**APPLICANT:** Harrow Council – Housing Services  
**PROPOSAL:** Variation of Condition 2 of Planning Permission EAST/809/99/FUL to allow hostel use to continue to 1 February 2008  
**DECISION:** GRANTED permission for the variation described in the application and submitted plans, as amended on the Addendum, subject to the condition and informative reported.

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**LIST NO:** 2/18                      **APPLICATION NO:** P/2395/06/DFU  
**LOCATION:** 12 Georgian Way, Harrow on the Hill  
**APPLICANT:** Robin G Benyon for G W R A Ltd  
**PROPOSAL:** Installation of security gate, 6 CCTV cameras mounted on 3 poles and marking of parking bays  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported.

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**LIST NO:** 2/19                      **APPLICATION NO:** P/2038/06/CFU  
**LOCATION:** 8 Augustus Close, Stanmore  
**APPLICANT:** Mr Shiraz Riaz for Mr Mushtaq  
**PROPOSAL:** Single storey rear extension  
**DECISION:** GRANTED permission for the development described in the application and submitted plans, subject to the condition and informatives reported.

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

**LIST NO:** 3/01                      **APPLICATION NO:** P/1792/06/DFU  
**LOCATION:** 421 Alexandra Avenue, Harrow  
**APPLICANT:** Mr Pranam Shah for Mr S Thayaparan  
**PROPOSAL:** Change of use from retail (class A1) to restaurant (class A3) and extract duct at rear  
**DECISION:** REFUSED permission for the development described in the application and submitted plans, for the reasons reported.  
(See also Minute 6).

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**LIST NO:** 3/02                      **APPLICATION NO:** P/2263/06/DFU  
**LOCATION:** 10 Willows Close, Pinner  
**APPLICANT:** Mr John Hazell for Mr A Tack  
**PROPOSAL:** Alterations to single storey rear extension  
**DECISION:** REFUSED permission for the development described in the application and submitted plans, for the reason reported.

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**SECTION 5 – PRIOR APPROVAL APPLICATIONS**

**LIST NO:** 5/01                      **APPLICATION NO:** P/2825/06/CDT  
**LOCATION:** Land O/S 331 Burnt Oak Broadway, Edgware, Middlesex, HA8 5AW  
**APPLICANT:** PHA Communications Ltd  
**PROPOSAL:** Prior Approval Determination: Erection of 8M slimline telecom pole with cabinet at ground level  
**DECISION:** (1) RESOLVED that prior approval of details of siting and appearance be required;  
(2) REFUSED prior approval of details of siting and appearance for the reasons reported, as amended on the Addendum.

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**LIST NO:** 5/02                      **APPLICATION NO:** P/2840/06/CDT  
**LOCATION:** RAF Bentley Priory, Priory Drive, Stanmore  
**APPLICANT:** Arqiva  
**PROPOSAL:** Prior Approval Determination: Installation of telecommunications equipment cabinet and gas bottle enclosure  
**DECISION:** (1) RESOLVED that prior approval of siting and appearance be required;

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(2) GRANTED approval of details of siting/appearance for the development described in the application and submitted plans, as amended on the Addendum, subject to the condition reported.

[Notes: (1) The Chairman, Councillor Marilyn Ashton, having declared a prejudicial interest in this item and left the room, Councillor Joyce Nickolay, Vice-Chairman, took the Chair;

(2) at the conclusion of this item, Councillor Marilyn Ashton resumed the Chair].

(See also Minute 6).

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LICENSING  
AND GENERAL  
PURPOSES  
COMMITTEE



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**REPORT OF LICENSING AND GENERAL PURPOSES COMMITTEE**


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**MEETING HELD ON 27 NOVEMBER 2006**


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Chairman: \* Councillor Mrs Lurline Champagne

Councillors: \* Robert Benson \* Ashok Kulkarni  
 \* Don Billson \* Mrs Vina Mithani  
 \* Mrinal Choudhury \* John Nickolay  
 G Chowdhury \* Phillip O'Dell  
 \* Mano Dharmarajah \* Raj Ray  
 \* Thaya Idaikkadar \* Tom Weiss  
 \* Nizam Ismail \* Jeremy Zeid

\* Denotes Member present

**PART I - RECOMMENDATIONS**
**RECOMMENDATION I - Gambling Policy**

The Gambling Act 2005 created a new statutory duty for local authorities to consider all gaming permits and licence applications.

With the Gambling Act coming into force, the Authority was required to prepare a statement as to how they intended to exercise their functions under the Act. It was noted that Harrow's policy had been drafted using the Local Authorities Coordinators of Regulatory Services (LACORS) guidance. Harrow Council's Statement of Principles – The Gambling Act 2005 covered the provisions of the legislation in detail, and the way in which Harrow was to administer this. The Statement also included a “no casino” policy within Harrow. The draft consultation document had been sent out to the Police, Gambling Commission, all premises which carry out gambling/and or betting activities, and Gamcare amongst others for consultation. The draft policy had also been published on the internet and an article had appeared in the local newspapers.

The Committee received a report of the Head of Community Safety Services, which reported the findings of the consultation on the draft Gambling Policy, the response to which had been very low, and asked Members to make any final comments prior to referring the policy to Council for final approval.

An officer reminded the Committee that the Authority was proposing a “no casino” resolution, and further, only agreeing to the automatic right to have up to two Amusement With Prizes (AWPs). Further machines would have to be applied for.

Members considered the Draft Policy which had been circulated and noted a few minor amendments such as typographical errors and a revision to item 4 entitled “Casinos” which would be made. Officers emphasised that the complete revised version, (Version 5 the final version) would be referred to Council. It was therefore

**Resolved to RECOMMEND: (to Council)**

That the Draft Gambling Policy, as now amended, be approved (see Appendix 1 - Version 5).

(See also Minute 31).

**PART II - MINUTES**25. **Declarations of Interest:**

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

<u>Agenda Item</u>	<u>Nature of Interest</u>
10. Gambling Policy	Councillor Tom Weiss declared a personal interest in that he had worked as a consultant for companies which produced gambling machines. He remained in the room whilst this matter was considered and voted upon.

26. **Arrangement of Agenda:**

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

27. **Minutes:**

**RESOLVED:** That the minutes of the meeting held on 18 September 2006 be taken as read and signed as a correct record.

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

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

28. **Petition Requesting an Improved Footpath that Runs from Waxwell Lane to Elm Park Road:**

Members received a report which set out the action being taken in response to the concerns raised regarding the condition of the footpath.

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

29. **Actions taken under the Urgent Non-Executive Decision Procedure:**

**RESOLVED:** To note and, insofar as is necessary, to confirm the Urgent Actions taken with the approval of the Chairman and Vice-Chairman since the beginning of the Municipal Year, as listed at Appendix A to the officer report.

30. **Changes to Memberships of the Subsidiary Panels of the Licensing and General Purposes Committee:**

**RESOLVED:** That the memberships of the subsidiary Panels of the Licensing and General Purposes Committee attached at Appendix 2 to the minutes be approved.

31. **Gambling Policy:**

Further to Recommendation I above, Members sought clarification of the difference between regulated and unregulated card games. In particular, Members referred to recent newspaper articles, which now reported the illegal playing of poker in pubs. In response, an officer explained that not only was poker banned, but that currently under the Gambling Commission's guidance, any card game which offered a monetary incentive was illegal regardless of where it was played and although the industry believed that it was acceptable to play for a winning title, this interpretation required clarification by the High Court. The Committee was also informed that the internet would be monitored by the Gambling Commission, as the operators of on-line gaming sites would require an operator's and personal licence.

In response to a Member's query as to whether charities would be informed of the changes as card games were often played for charitable purposes, it was reported that due to the immense number of unknown charities in the Borough, it had not been possible to target all of them. A Member requested that information on the Gambling Act, which identified the changes, be circulated to all Members of the Council, as many of them had affiliations with charities and information could be filtered through them.

An officer explained that the Gambling Commission, which issued the operator and personal licences for the manufacture of gaming machines, also covered the percentage of winnings to be allocated to the operator. The machines permitted on licensed premises, such as pubs, were either category C or D, which paid out a low

amount of winnings, whereas a Members' Club was entitled to higher category machines which paid out higher winnings.

Having recommended the draft Gambling Policy to Council it was

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

(See also Minute 25).

(Note: The meeting, having commenced at 7.30 pm, closed at 8.45 pm).

(Signed) COUNCILLOR MRS LURLINE CHAMPAGNIE  
Chairman

# **HARROW COUNCIL'S STATEMENT OF PRINCIPLES**

## **GAMBLING ACT 2005**

**(Published 11 December 2006 - Version 5)**

**HARROW COUNCIL'S STATEMENT OF PRINCIPLES**  
Gambling Act 2005

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1.

HARROW COUNCIL'S STATEMENT OF PRINCIPLES  
Gambling Act 2005

## 2. The Licensing Objectives

### PART A

In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

It should be noted that the Gambling Commission has stated: "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling".

This licensing authority is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission reasonably consistent with the licensing objectives and
- in accordance with this statement of licensing policy

## 2. Introduction

Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they proposed to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from "time to time" and any amended parts re-consulted upon. The statement must be then re-published.

Harrow Council consulted widely upon this statement before finalising and publishing. A list of those persons consulted is provided below.

The Gambling Act requires that the following parties are consulted by Licensing Authorities:

- The Chief Officer of Police;
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area;
- One or more persons who appear to the authority to represent the interests of persons



HARROW COUNCIL'S STATEMENT OF PRINCIPLES  
Gambling Act 2005

who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.

List of persons this authority consulted:

The police

Social Services

All premises providing activities fall within this Act operating in Harrow

General Public, through Harrow Council's website and publicity through local newspapers.

Our consultation took place between 17 July 2006 and 16 October 2006 and we followed the Revised Code of Practice (which came into effect in April 2004) and the Cabinet Office Guidance on consultations by the public sector. These documents are available via:

<http://www.cabinetoffice.gov.uk/regulation/consultation/code/index.asp>

<http://www.cabinetoffice.gov.uk/regulation/consultation/documents/pdf/code.pdf>

The full list of comments made and the consideration by the Council of those comments is available by request to: *Licensing Service 1* via the Council's website at [www.harrow.gov.uk/licensing](http://www.harrow.gov.uk/licensing).

The policy was approved at a meeting of the Full Council on X date and was published via our website on x date. Copies were placed in the public libraries of the area as well as being available in the Town Hall.

Should you have any comments as regards this policy statement please send them via e-mail or letter to the following contact:

Name: P Sivashankar, Licensing Manager

Address: Harrow Council, Civic Centre, P O Box 18, Station Road, Harrow. HA1 2UT.

E-mail: [licensing@harrow.gov.uk](mailto:licensing@harrow.gov.uk)

It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

### 3. Declaration

In producing the final statement, this licensing authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the statement. The above documents can be downloaded either from the Council's web site, or from DCMS's web site or by contacting the licensing service on

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licensing@harrow.gov.uk

#### 4. Responsible Authorities

Section 157 of the Act identifies the bodies that are to be treated as responsible authorities. They are:

- (a) a licensing authority in England and Wales in whose area the premises is wholly/partly situated;
- (b) the Gambling Commission;
- (c) the chief officer of police/chief constable for the area in which the premises is wholly or partially situated;
- (d) the fire and rescue authority for the same area;
- (e) (i) In England and Wales, the local planning authority; or  
(ii) in Scotland, the planning authority;
- (f) the council constituted under section 2 of the Local Government etc (Scotland) Act 1994;
- (g) an authority which has functions in relation to pollution to the environment or harm to human health;
- (h) a body, designated in writing by the licensing authority as competent to advise about the protection of children from harm;
- (i) HM Revenue & Customs; and
- (j) any other person prescribed in regulations by the Secretary of State.

The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- the need for the body to be responsible for an area covering the whole of the licensing authority's area; and
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

In accordance with the suggestion in the Gambling Commission's Guidance for local authorities, this authority designates the Local Safeguarding Children Board for this purpose.

The contact details of all the Responsible Authorities under the Gambling Act 2005 are available via the Council's website at: [www.harrow.gov.uk/licensing](http://www.harrow.gov.uk/licensing)

#### 5. Interested parties

Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005

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as follows:

"For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person-

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons who satisfy paragraph (a) or (b)"

The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities, "the Guidance" at 8.14 and 8.15 (*if the authority does not wish to follow the Gambling Commission's guidance in any respect it is advised to state this in its statement. Note though that decisions on premises licences and temporary use notices must be "in accordance" with Gambling Commission Guidance (Section 153)*). It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

The Gambling Commission has recommended that the licensing authority states that interested parties include trade associations and trade unions, and residents' and tenants' associations (Gambling Commission Guidance for local authorities 8.17). This authority will not however generally view these bodies as interested parties unless they have a member who can be classed as an interested person under the terms of the Gambling Act 2005 i.e. lives sufficiently close to the premises to be likely to be affected by the activities being applied for.

Interested parties can be persons who are democratically elected such as councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, parish councils likely to be affected, will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons,

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requesting the representation is sufficient.

If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the licensing department (*insert contact details*).

#### 6. Exchange of Information

Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The licensing authority will also have regard to any Guidance issued by the Gambling Commission to local authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

Should any protocols be established as regards information exchange with other bodies then they will be made available. Discussions with the Gambling Commission and LACORS as regards information exchange between the Commission and local authorities are, at the time of writing, at an early stage.

#### 7. Enforcement

Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

This licensing authority's principles are that:

It will be guided by the Gambling Commission's Guidance for local authorities and its own Enforcement Policy will endeavour to be:

- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to

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- public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects.

As per the Gambling Commission's Guidance for local authorities this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission.

This licensing authority will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

Bearing in mind the principle of transparency, this licensing authority's enforcement/compliance protocols/written agreements will be available upon request to the licensing department.

#### **8. Licensing Authority functions**

Licensing Authorities are required under the Act to:

Be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*

Issue *Provisional Statements*

Regulate *members' clubs* and *miners' welfare institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits

Issue *Club Machine Permits to Commercial Clubs*

Grant permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*

Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines

Issue *Licensed Premises Gaming Machine Permits* for premises licensed to

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sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines  
 Register *small society lotteries* below prescribed thresholds  
 Issue *Prize Gaming Permits*  
 Receive and Endorse *Temporary Use Notices*  
 Receive *Occasional Use Notices*  
 Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')  
 Maintain registers of the permits and licences that are issued under these functions

It should be noted that local licensing authorities will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operating licences.

The Gambling Commission has recommended that licensing authorities include a list of licensable activities in their policy statements. Once the list is provided by the Gambling Commission this will be incorporated into this policy statement once.

**PART B  
PREMISES LICENCES**

**1. General Principles**

Harrow Council has passed a resolution on 18 October 1990 under Schedule 9 of the Gambling Act 1968 that it will not grant new permits nor renew current permits, under Section 34 of that Act for the licensed use of machines of amusement with prizes in respect of any or all of the following classes of premises within the London Borough Harrow:-

Garages and/or petrol filling station forecourts; Car Wash stations; Bus Stations; railway Stations; Retail Shops; cafes; Restaurants and Take-Away Food premises; launderettes; hairdressers; School premises; Showrooms; places of entertainment; Hotels; Guest Houses and Hostels; and areas to which the public have access in offices or other workplaces, including waiting rooms or reception areas.

Premises licences will be subject to the requirements set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

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This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission ;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.

It is appreciated that as per the Gambling Commission's Guidance for local authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" (except as regards any 'no casino resolution' - see section on Casinos below – page 10) and also that unmet demand is not a criterion for a licensing authority.

**Definition of "premises"** - Premises is defined in the Act as "any place". Different premises licences cannot apply in respect of a single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances. However, the Gambling Commission does not consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.

This licensing authority takes particular note of the Gambling Commission's Guidance for local authorities which states that:

- licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware that entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area.
- licensing authorities should pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Clearly, there will be specific issues that authorities should consider before granting such applications, for example, whether children can gain access; compatibility of the two establishments; and ability to comply with the requirements of the Act. But, in addition an overriding consideration should be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement

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that otherwise would, or should, be prohibited under the Act.

It should also be noted that an applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling are constructed. The Gambling Commission has advised that reference to "the premises" are to the premises in which gambling may now take place. Thus a licence to use premises for gambling will only be issued in relation to premises that are ready to be used for gambling. This authority agrees with the Gambling Commission that it is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence. The Gambling Commission emphasises that requiring the building to be complete ensure that the authority can, if necessary, inspect it fully, as can other responsible authorities with inspection rights.

**Location** - This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. As per the Gambling Commission's Guidance for local authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

**Duplication with other regulatory regimes** - This licensing authority will seek to avoid any duplication with other statutory / regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

**Licensing objectives** - Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission's Guidance to local authorities and some comments are made below.

**Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime** - This licensing authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. The Gambling



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Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions.

**Ensuring that gambling is conducted in a fair and open way** - This licensing authority has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section below – page 11).

**Protecting children and other vulnerable persons from being harmed or exploited by gambling** - This licensing authority has noted the Gambling Commission's Guidance for local authorities states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

This licensing authority will also make itself aware of the Codes of Practice which the Gambling Commission issues as regards this licensing objective, in relation to specific premises such as casinos.

As regards the term "vulnerable persons" it is noted that the Gambling Commission is not seeking to offer a definition but states that "it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs." This licensing authority will consider this licensing objective on a case by case basis. Should a practical definition prove possible in future then this policy statement will be updated with it, by way of a revision.

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**Conditions** - Any conditions attached to licences will be proportionate and will be:  
relevant to the need to make the proposed building suitable as a gambling facility;  
directly related to the premises and the type of licence applied for;  
fairly and reasonably related to the scale and type of premises; and  
reasonable in all other respects.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to way in which the licensing objectives can be met effectively.

This licensing authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are identified as cat C, B or A and located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will consider the

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impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
- conditions in relation to stakes, fees, winning or prizes.

**Door Supervisors** - The Gambling Commission advises in its Guidance for local authorities that licensing authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime.

For premises other than casinos and bingo premises, operators and licensing authorities may decide that supervision of entrances / machines is appropriate. If Door Supervisors are required, they must hold a valid SIA registration.

## 2. Adult Gaming Centres

This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas

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### 3. (Licensed) Family Entertainment Centres:

This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

### 4. Casinos

This licensing authority has resolved on this day (11 December 2006) to not to issue casino premises licences pursuant to s166 of the gambling Act 2005. This resolution may be revoked by a further resolution and shall lapse at the end of the period of three years beginning with the date on which it takes effect.

Potential licence applicants should note that a 'no-casino' resolution is passed by this authority means no applications for casino premises licences will be

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considered. Any applications received will be returned with a notification that a 'no-casino' resolution is in place.

*Betting machines* - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

#### 5. Bingo premises

This licensing authority notes that the Gambling Commission's Guidance states:

18.4 - It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted licensing authorities should ensure that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where the machines are located;
- access to the area where the machines are located is supervised;
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

This licensing authority is also aware that the Gambling Commission is going to issue further guidance about the particular issues that licensing authorities should take into account in relation to the suitability and layout of bingo premises. This guidance will be considered by this licensing authority once it is made available.

#### 6. Betting premises

*Betting machines* - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

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### 7. Tracks

This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:

- Proof of age schemes
- CCTV

- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours

- Self-baring schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

*Gaming machines* -Further guidance from the Gambling Commission is awaited as regards where such machines may be located on tracks and any special considerations that should apply in relation, for example, to supervision of the machines and preventing children from playing them. This licensing authority notes the Commission's Guidance that licensing authorities therefore need to consider the location of gaming machines at tracks, and applications for track premises licences will need to demonstrate that, where the applicant holds a pool betting

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operating licence and is going to use his entitlement to four gaming machines, these machines are locate in areas from which children are excluded. Children and young persons are not prohibited from playing category D gaming machines on a track.

*Betting machines* - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. It will also take note of the Gambling Commission's suggestion that licensing authorities will want to consider restricting the number and location of such machines in respect of applications for track betting premises licences.

*Condition on rules being displayed* - The Gambling Commission has advised in its Guidance for local authorities that "...licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office."

*Applications and plans* - This licensing authority awaits regulations setting-out any specific requirements for applications for premises licences but is in accordance with the Gambling Commission's suggestion "To ensure that licensing authorities gain a proper understanding of what they are being asked to license they should, in their licensing policies, set out the information that they will require, which should include detailed plans for the racetrack itself and the area that will be used for temporary "on-course" betting facilities (often known as the "betting ring") and in the case of dog tracks and horse racecourses fixed and mobile pool betting facilities operated by the Tote or track operator, as well as any other proposed gambling facilities." and that "Plans should make clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence."

This licensing authority also notes that in the Commission's view, it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences, to ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

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#### 8. Travelling Fairs

It will fall to this licensing authority to decide whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

#### 9. Provisional Statements

This licensing authority notes the Guidance for the Gambling Commission which states that "It is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence" and that "Requiring the building to be complete ensures that the authority could, if necessary, inspect it fully".

In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- (a) which could not have been raised by objectors at the provisional licence stage;  
or
- (b) which is in the authority's opinion reflect a change in the operator's circumstances.

This authority has noted the Gambling Commission's Guidance that "A licensing authority should not take into account irrelevant matters.... One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal."



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**10. Reviews:**

Requests for a review of a premises licence can be made by interested parties or responsible authorities, however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below, as well as consideration as to whether the request is frivolous, vexatious, will certainly not cause this authority to wish alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

in accordance with any relevant code of practice issued by the Gambling Commission;  
in accordance with any relevant guidance issued by the Gambling Commission;  
reasonably consistent with the licensing objectives; and  
in accordance with the authority's statement of licensing policy.

The licensing authority can also initiate a review of a licence on the basis of any reason which it thinks is appropriate.

**PART C**

**Permits / Temporary & Occasional Use Notice**

**1. Unlicensed Family Entertainment Centre gaming machine permits  
(Statement of Principles on Permits - Schedule 10 paragraph 7)**

Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).

The Gambling Act 2005 states that a licensing authority may prepare a *statement of principles* that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25. The Gambling Commission's Guidance for local authorities also states: "In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits...., licensing authorities will want to give weight to child protection issues." (24.6)

HARROW COUNCIL'S STATEMENT OF PRINCIPLES  
Gambling Act 2005

Statement of Principles: This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises. This licensing authority will also expect, as per Gambling Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

**2. (Alcohol) Licensed premises gaming machine permits - (Schedule 13 paragraph 4(1))**

There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority. The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and "*such matters as they think relevant.*" This licensing authority considers that "such matters" will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harmed or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures

HARROW COUNCIL'S STATEMENT OF PRINCIPLES  
Gambling Act 2005

to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be help. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

**3. Prize Gaming Permits - (Statement of Principles on Permits - Schedule 14 paragraph 8 (3))**

The Gambling Act 2005 states that a licensing authority may "prepare a statement of principles that they propose to apply in exercising their functions under this Schedule" which "may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit".

This licensing authority has prepared a Statement of Principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- (a) that they understand the limits to stakes and prizes that are set out in Regulations;
- and that the gaming offered is within the law.

In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

HARROW COUNCIL'S STATEMENT OF PRINCIPLES  
Gambling Act 2005

It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize);
- and
- participation in the gaming must not entitle the player to take part in any other gambling.

#### 4. Club Gaming and Club Machines Permits

Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations. A Club Gaming machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).

Gambling Commission Guidance states: "Members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations."

The Commission Guidance also notes that "licensing authorities may only refuse an application on the grounds that:

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;

HARROW COUNCIL'S STATEMENT OF PRINCIPLES  
Gambling Act 2005

- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police.

There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). As the Gambling Commission's Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced." and "The grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

#### 5. Temporary Use Notices

There are a number of statutory limits as regards temporary use notices. Gambling Commission Guidance is noted that "The meaning of "premises" in part 8 of the Act is discussed in Part 7 of this guidance. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", licensing authorities will need to look at, amongst other things, the ownership/ occupation and control of the premises...This is a new permission and licensing authorities should be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises."

#### 6. Occasional Use Notices:

The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

## SCHEDULE OF RESPONSIBLE AUTHORITIES

Responsible Authorities are public bodies that must be notified of applications and that are entitled to make representations to the licensing authority in relation to applications for, and in relation to, premises licences. All representations made by responsible authorities are likely to be relevant representations if they relate to the licensing objectives.

Harrow Licensing Authority  
Licensing Services  
Harrow Council  
Civic Centre  
PO Box 18  
Station Road  
Harrow HA1 2UT  
Tel: 020 8736 6258  
email: [Licensing@harrow.gov.uk](mailto:Licensing@harrow.gov.uk)  
web: [www.harrow.gov.uk/licensing](http://www.harrow.gov.uk/licensing)  
Fax: 0845 280 1845

Fire Authority  
Harrow Fire Safety Officer  
London Fire and Emergency Planning Authority  
Hillingdon Fire Station  
Uxbridge Road  
UB10 0PH  
Tel: 020 7587 2000  
e-mail: [hillingdongroup@london-fire.gov.uk](mailto:hillingdongroup@london-fire.gov.uk)

Planning Authority  
Nicholas Ray  
Planning and Development  
Civic Centre  
PO Box 37  
Station Road  
Harrow HA1 2UY  
Tel: 020 8736 6160  
e-mail: [Nicholas.ray@harrow.gov.uk](mailto:Nicholas.ray@harrow.gov.uk)

**SCHEDULE OF RESPONSIBLE AUTHORITIES**

Area Child Protection Services  
Steve Spur  
Area Child Protection Manager  
Harrow Council  
Civic Centre  
Station Road  
Harrow HA1 2UT  
Tel: 020 8736 5644  
e-mail: [steve.spur@harrow.gov.uk](mailto:steve.spur@harrow.gov.uk)

**Metropolitan Police Services**

Sgt Carl Davis  
Metropolitan Police  
74 Northolt Road  
South Harrow  
HA2 0DN  
Tel: 020 8733 3415  
e-mail: [Carl.Davis@met.police.uk](mailto:Carl.Davis@met.police.uk)

**Gambling Commission**

Victoria Square House  
Victoria Square  
Birmingham B2 4BP  
e-mail: [info@gamblingcommission.gov.uk](mailto:info@gamblingcommission.gov.uk)

**HM Revenue and Customs**

Greenock Accounting Centre  
Custom House  
Greenock PA15 1EQ

**Authorities for Vessels**

- Navigation Authority
- The Enforcement Agency
- British Waterways Board

APPENDIX 2LICENSING AND GENERAL PURPOSES PANELS

(Membership in order of political group nominations)

ConservativeLabourLiberal Democrats**(2) EARLY RETIREMENT SUB-COMMITTEE (3) (Non-proportional)****(2)****(1)****I.**  
**Members****Miss Christine Bednell**  
**Richard Romain (CH)****Mano Dharmarajah****II.**  
**Reserve**  
**Members**1. Lurline Champagne  
2. Narinder Singh Mudhar  
3. Jeremy Zeid1. Keith Ferry  
2. -  
3. -**(6) PENSION FUND INVESTMENTS PANEL (4)****(2)****(2)****I.**  
**Members****David Ashton \* (CH)**  
**Richard Romain****Mano Dharmarajah**  
**Thaya Idaikkadar (VC)****II.**  
**Reserve**  
**Members**1. Tony Ferrari  
2. Lurline Champagne  
3. Robert Benson1. Keith Ferry  
2. Nizam IsmailHarrow UNISON Co-optee (Non-voting): Mr R Thornton [Alternate: Mr J Rattray]  
Co-optee (Non-voting): Howard Bluston



LICENSING AND  
GENERAL PURPOSES  
PANELS



## PENSION FUND INVESTMENTS PANEL

13 NOVEMBER 2006

Chairman: \* Councillor David Ashton

Councillors: \* Mano Dharmarajah \* Richard Romain  
Thaya IdaikkadarCo-optee \* Mr Howard Bluston  
(Non-voting):

\* Denotes Member present

[Note: Other Attendance: Mr Alastair McKissack of Hymans Robertson attended in an advisory role, as the Council's Actuary/Adviser.]**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**23. **Attendance by Reserve Members:****RESOLVED:** To note that there were no Reserve Members in attendance at this meeting.24. **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.25. **Arrangement of Agenda:****RESOLVED:** That all items be considered with the press and public present with the exception of the following items for the reason set out below:

<u>Item</u>	<u>Reason</u>
11. Performance of Fund Managers – First Half Year 2006-2007	These reports contained exempt information under paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) in that they contained information relating to the financial or business affairs of any particular person (including the authority holding that information)
12. Private Equity and Currency Management	
13. Proposed use of MARS and CARS for Tactical Asset Allocation	

26. **Minutes:****RESOLVED:** That the minutes of the meetings held on 3 July and 25 July 2006 be taken as read and signed as correct records.27. **Public Questions:****RESOLVED:** To note that no public questions were put at the meeting under the provisions of Committee Procedure Rule 19.28. **Petitions:****RESOLVED:** To note that no petitions were received at the meeting under the provisions of Committee Procedure Rule 16.29. **Deputations:****RESOLVED:** To note that no deputations were received at the meeting under the provisions of Committee Procedure Rule 17.

30. **References from Council and Other Committees/Panels:**  
The Panel received a reference from the Special Audit Committee meeting held on 12 September 2006. The reference requested that the Panel ascertain how the Council's actuaries, Hymans Robertson, estimated pension liabilities, as their figures appeared to be higher than those of other actuaries, and report back to the Audit Committee, detailing this information.
- Members discussed the reference and asked questions of the Hymans Robertson representative in attendance.
- RESOLVED:** That (1) the reference be noted;
- (2) officers write to Hymans Robertson to seek a response which then be reported back to the Audit Committee;
- (3) Members of the Panel be involved in the discussions when tri-annual reports were being drafted.
31. **Trustee Training and Outside Bodies:**  
The Panel received a report of the Director of Financial and Business Strategy, which provided Members with information on Trustee training and attendance at outside bodies.
- Members that had attended the recent Trustee training reported that it had been beneficial. Members also agreed that in-house training should be arranged and that other Members who may be interested, in particular the Audit Committee Members, be invited.
- An officer reported that the co-optee on the Panel would be attending the Local Authority Pension Fund Forum (LAPFF) conference in Bournemouth. The claiming of expenses to cover travel, accommodation and breakfast expenses was discussed. Members expressed the view that future training opportunities, where there were cost implications, should be considered individually so that it could be decided whether expenses could be claimed and a reasonable amount set, above which attendees would need to pay themselves. Members expressed interest in attending the Baillie Gifford seminar in October 2007.
- RESOLVED:** That (1) recent Trustee training be noted;
- (2) additional training for Panel Members be considered;
- (3) proposals from Baillie Gifford for their seminar in October 2007 be noted;
- (4) the attendance at LAPFF and National Association of Pension Funds (NAPF) meetings by officers and the co-optee be agreed;
- (5) the co-optee be permitted to claim reasonable expenses of not more than £100 for the travel and overnight stay required when attending the LAPFF conference in Bournemouth.
32. **Performance of Fund Managers - First Half Year 2006-2007:**  
The Panel received a confidential report of the Director of Financial and Business Strategy, which informed Members of the performance of the Fund Managers in the first half of 2006-2007.
- RESOLVED:** That (1) the performance of the Fund Managers be noted;
- (2) officers clarify when the Fund Managers would next be attending a Panel meeting.
33. **Private Equity and Currency Management:**  
The Panel received a confidential report of the Director of Financial and Business Strategy which set out the results of recent tenders for Private Equity and Currency Management.
- RESOLVED:** That (1) Recommendations (a) to (d), as set out in the report of the Director of Financial and Business Strategy, be agreed;
- (2) further to Recommendation (e), that the appointments, as set out in the officer report, commence as soon as possible.

34. **Proposed use of MARS and CARS for Tactical Asset Allocation:**  
The Panel received a confidential report of the Director of Financial and Business Strategy, which asked Members to consider the briefing provided by Hymans Robertson and consider whether to provide funds for Tactical Asset Allocation.

Members discussed the proposal in detail and expressed the view that the Panel should defer making a decision until more information had been provided and the use of MARS and CARS had been established.

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

(2) the Fund Manager, UBS, be requested to demonstrate what would have happened over a six month period if funds for Tactical Asset Allocation had been provided; and advise the Panel when next in attendance at a Panel meeting.

(Note: The meeting having commenced at 7.30 pm, closed at 8.15 pm)

(Signed) COUNCILLOR DAVID ASHTON  
Chairman



## LICENSING PANEL

28 NOVEMBER 2006

Chairman: \* Councillor Raj Ray

Councillors: \* Robert Benson \* John Nickolay

\* Denotes Member present

**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**66. **Appointment of Chairman:**

**RESOLVED:** That Councillor Raj Ray be appointed Chairman of the Panel for the purposes of this meeting.

67. **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.

68. **Arrangement of Agenda:**

**RESOLVED:** That (1) all items on the agenda be considered with the press and public present; and

(2) 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 urgency detailed below:-

<u>Item</u>	<u>Special Circumstances / Grounds for Urgency</u>
8. Application for a new Premises Licence for 'Victorz Trading', a premises at 263 Station Road, Harrow, HA1 2TB - Current Appointments Report for Victorz Trading Limited from Companies House.	The document was not available at the time the main agenda was printed and circulated and in order to ensure that all the relevant evidence was available to ensure a fair hearing, the document was tabled.

69. **Minutes:**  
(See Note at conclusion of these minutes).70. **Public Questions, Petitions and Deputations:**

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

71. **Licensing Procedures:**

The Chairman 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.

72. **Application for a New Premises Licence for 'KS News', a Premises at 185, Northolt Road, South Harrow, HA2 0LY:**

The Chief Environmental Health Officer's representative advised that the representation that had been made by the Metropolitan Police in respect of the a new application for a Premises Licence for 'KS News', a premises at 185, Northolt Road, South Harrow, HA2 0LY, had been withdrawn as they had reached an agreement with the applicant, and that, as a result, the application would not now require determination by the Panel.

**RESOLVED:** To note that an application for a Premises Licence for 'KS News', a premises at 185 Northolt Road, South Harrow, HA2 0LY, would be granted by the Chief Environmental Health Officer under the provisions set out in the Council's Licensing Policy and Delegation of Licensing Functions.

73. **Application for a New Premises Licence for 'Victorz Trading', a Premises at 263 Station Road, Harrow, HA1 2TB:**

The Panel received a report of the Chief Environmental Health Officer, which detailed an application for a new Premises Licence for 'Victorz Trading', 263 Station Road, Harrow, HA1 2TB.

The application had been made by Victorz Trading Ltd (which was a limited company) and was referred to the Panel, as there was one unresolved representation from a Relevant Authority, the Metropolitan Police. Sergeant Carl Davis was in attendance at the meeting. Mr V Bath, the DPS, Mr K Grewal the licensee, and his representative Mr J Simons of Accu-Price Licensing Services, were also in attendance.

The Licensing officer advised that the premises previously traded as Harrow Off Licence, and had a history of enforcement actions by the Police and Customs and Excise, relating to counterfeit alcohol being sold. As a result of the incidents, the Magistrates Court had ruled that Mr Grewal was not a "fit and proper person" to hold a justices' licence under the Licensing Act 1964 and revoked the licence. Mr Grewal had appealed to the Crown Court. As a result the revocation had been suspended pending the appeal. It was during this period that the justices' licence was converted by the Licensing Authority under the transitional provisions of the Licensing Act 2003. The Crown Court subsequently dismissed the appeal but the Licensing Authority was not notified of the dismissal.

The Licensing officer advised that the concept of "fit and proper person" was not carried forward under the Licensing Act 2003 and as such the panel could not apply this concept in reaching its decision. The premises was currently retailing groceries and not alcohol.

Members were given sight of a report on Victorz Trading Limited from Companies House.

The applicant's advisor, Mr Simons, notified the Panel that he had a number of documents, which he wished to present as material in favour of the licensee and his application. He identified each document, namely;

- A letter of good character by John McDonnell MP, known to Mr and Mrs Grewal as a work associate;
- A letter from Harrow Council dated 15 November 2005, acknowledging receipt of their premises application and notifying the licensee that the application had been successful;
- An article in the Watford Observer, dated 24 November 2006, which reported Mr Grewal as having been awarded a Customer Service Award for his franchise of Budgens in Chorleywood;
- A letter from Customs and Excise returning the counterfeit alcohol.

The legal adviser to the Panel asked Sergeant Carl Davis, as the only objector to the application, whether he agreed to the documents referred to by Mr Simmons being tabled. He confirmed that he had no objections to the documents being presented, with the exception of the letter from Customs and Excise.

With the agreement of all parties an adjournment of 10 minutes was allowed to enable all parties to read the additional material presented at the meeting.

Mr Simons highlighted the following and asked the Panel to take all the facts into consideration:

- His client had been in breach of his licence on three occasion, yet had no prosecution against him;
- Although he had been deemed as not a "fit and proper" person, the letter of good character by John McDonnell MP should attach some weight and go in Mr Grewal's favour;
- Although he had been deemed as not a "fit and proper" person, under the 1964 Licensing Act, this had to be dismissed and could not be considered in determining the application;



- Although all bottles of alcohol had been removed from the premises by Customs and Excise and the Police these were later returned;
- Mr Grewal genuinely thought that he had a premises licence to sell alcohol because of the letter dated 15<sup>th</sup> November 2005 and the subsequent issuance of the premises licence by the Licensing Authority. Consideration ought to be given to the fact that his client was confused by the changes in the licensing legislation and the fact that he had received a licence when one should not have been issued;
- Mr Grewal only started selling alcohol on receipt of his licence in January 2006 and not prior to that despite the letter from Harrow Council dated 15 November 2005, notifying him that the application had been successful.

Members queried the management and experience of the staff on the premises and asked why they were not informed that there were two types of CCTV systems in operation on site, as this would have assisted the Police when they had carried out a search of the premises. Mr Grewal was also asked, as the Director of a limited company, why the annual accounts had not been submitted to Companies House, and whether he and his wife, who was the company secretary, had shares in the business. The Panel asked further questions of Mr Grewal in relation to the retail of alcohol despite a court ruling and appeal both deeming him not a "fit and proper" person, following the seizure of counterfeit alcohol.

Responding, Mr Simons reported that the staff were only advised of the analogue CCTV as he did not want that to interfere with the digital CCTV. He also confirmed that the staff were inadequately trained, but that preventative steps had been taken to avoid a recurrence. The staff had now been fully trained and Mr Bath was the DPS, with Mr Kahlon in the process of completing his DPS qualification.

Mr Grewal acknowledged the delay in submitting the accounts to Companies House and stated that the accountants had not been able to cope with the workload. He confirmed that new accountants had been appointed and that it was hoped that the accounts would be submitted within the week. He also confirmed that both he and his wife were both the shareholders of Victorz Trading Limited. Mr Simons advised the Panel that Mr Grewal had been confused between the simultaneous court rulings, granting and receipt of a premises licence, and acknowledged that he had inexperienced staff.

Sergeant Carl Davis referred to page 70 of the agenda, which formed part of his representation. He advised the Panel that Mr Grewal had a history of incidents at the premises and had been in breach of some of the licensing objectives. He did not think it satisfactory that his brother-in-law, Mr Bath should be the DPS as it was likely he would still be influenced by the licensee. Victorz Trading Limited was a family run and owned company and Sergeant Carl Davis expressed the view that Mr Grewal was not a "fit and proper" person to manage or oversee the day to day running of the premises. He also reminded the Panel that Mr Grewal had ignored three formal requests asking him to remove alcohol from the premises when it had been established that he should not have been granted a premises licence in the first place. In summary, Sergeant Carl Davis requested that the Panel consider his representation and refuse Mr Grewal's application for a premises licence.

In summing up, Mr Simons drew the Panel's attention to the fact that despite the breaches, neither Mr nor Mrs Grewal had been prosecuted. He reminded the Panel that although the counterfeit alcohol had been removed, it was subsequently returned. Mr Simons asked the Panel to consider the letter from John McDonnell MP and the article that has appeared in the Watford Observer. He also referred to Mr Grewal's premises in Chorleywood for which he had won a Customer Service award, which supported the view that he was a responsible and fit and proper person. Mr Simons suggested conditions to attach to the application, such as good working CCTV and only purchasing alcohol from a bonded warehouse or retail cash and carry.

#### **PANEL'S DECISION**

The Panel considered all the facts and evidence presented before them. The Panel noted the documents submitted on behalf of the applicant and the representation from the Metropolitan Police.

Having reviewed all the evidence and the facts, the Panel was not satisfied that the licensing objectives relating to the prevention of crime and disorder and public safety would be adequately promoted, and accordingly

**RESOLVED:** That the application for a new Premises Licence for 'Victorz Trading', 263 Station Road, Harrow, HA1 2TB be rejected.

(Note: The meeting having commenced at 1.30 pm, closed at 3.33 pm)

(Signed) COUNCILLOR RAJ RAY  
Chairman

[Note: Licensing Panel minutes are:-

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

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

## PERSONNEL APPEALS PANEL

29 NOVEMBER 2006

Chairman: \* Councillor Mrs Anjana Patel

Councillors: \* Graham Henson \* Joyce Nickolay

\* Denotes Member present

**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**21. **Appointment of Chairman:**

**RESOLVED:** To appoint Councillor Mrs Anjana Patel as Chairman for the purposes of the meeting.

22. **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.

23. **Arrangement of Agenda:**

**RESOLVED:** That the appeal be considered with press and public excluded on the grounds that it would involve the disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended), in that it would involve the disclosure of information relating to an individual.

24. **Minutes:**

(See Note at the conclusion of these minutes).

25. **Disciplinary Appeal:**

Following careful consideration of both the verbal and written evidence presented by the appellant and management, the Panel

**RESOLVED:** That the appeal be dismissed.

(Note: The meeting having commenced at 9.30 am, closed at 3.30 pm)

(Signed) COUNCILLOR ANJANA PATEL  
Chairman

[Note: Personnel Appeals Panel minutes are:-

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

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



THE CABINET,  
CABINET ADVISORY PANELS,  
CONSULTATIVE FORUMS  
AND  
PORTFOLIO HOLDER MEETINGS



CABINET





CONSULTATIVE  
FORUMS



CABINET  
ADVISORY  
PANELS



## HARROW BUSINESS CONSULTATIVE PANEL

15 NOVEMBER 2006

Chairman: \* Councillor Manji Kara

Councillors: \* Mrinal Choudhury Susan Hall  
\* Keith Ferry

\* Denotes Member present

**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**16. **Attendance by Reserve Members:**

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

17. **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.

18. **Arrangement of Agenda:**

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

19. **Minutes:**

**RESOLVED:** That the minutes of the meeting held on 18 July 2006, be taken as read and signed as a correct record.

20. **Matters Arising from the Minutes:**(i) **Minute 15 - Economic Regeneration**

A representative of the Business Community presented bankruptcy figures for the Greater London Area, provided by Companies' House. It was reported that there had been an increase in creditor bankruptcies from 553 to 612 in 2005/2006, and an increase in debtor bankruptcies from 1,059 to 1567 in the same period. It was requested that a full set of this information be circulated to Members outside of the meeting.

In response to a Member's query, an officer reported that students had been employed to conduct research as part of the Business Mapping exercise conducted by Harrow in Business

(ii) **Minute 16 - Poor Attendance by Business Representatives**

An officer reported that invitations had been sent out to 300 businesses before the Panel's meeting. It was reported that meetings of the Panel had previously been held in the day, and that evening meetings had been suggested to increase participation, but with limited success. It was suggested that alternate venues outside the Civic Centre be considered for meetings.

A representative of the business community pointed to the traditionally limited success of cold-calling methods such as those used in inviting the attendance of organisations, and suggested a greater emphasis on networking.

It was also suggested that the approach of the Panel's meetings be changed to reflect themes relevant to the business community.

On the question of Business Incubator Development an officer reported that there had been little progress on this scheme since the Panel's last meeting.

**RESOLVED:** That the above matters arising from the minutes of the meeting held on 18 July 2006 be noted.

21. **Public Questions:**

**RESOLVED:** To note that no public questions were received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 16 (Part 4E of the Constitution).

22. **Petitions:**

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

23. **Deputations:**

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

24. **Harrow Business Against Crime - Update:**

The Panel received a presentation from the Business Crime Reduction Manager, Harrow Business Against Crime (HBAC), who outlined the work and structure of the organisation.

It was stated that the organisation aimed to work with local businesses and police to reduce business crime in the area. HBAC would initially cover the town centre area, before looking to expand.

HBAC would operate by collating information from members in order to identify persistent offenders, who would then be entered onto a database. This information could then be analysed and distributed to members of the scheme, including photographs of offenders. An Exclusion Notice Scheme would also operate, banning certain individuals from members' premises, with the possibility of legal proceedings if breached. Currently, 50 offenders were listed on the database.

The Panel heard that HBAC had approached 127 businesses, of which 11 had opted to become members, and that further interest had been received.

In response to questions, the Panel heard the following:

- HBAC had a required annual budget of £52,000;
- its work was compatible with Harrow's 'Pub-Watch' scheme;
- there would be a review of the scheme in March 2007, with the possibility of expansion after this point, provided that this was judged to be manageable.

**RESOLVED:** That the above be noted

25. **Harrow Economic Development and Regeneration Review - Update:**

The Panel heard that, since its last meeting, the Harrow Economic Profile had refined and signed off, and that the consultancy firm employed, GHK, had provided a further report entitled 'Towards a revised Economic Regeneration Strategy'.

In addition, it was reported that the Deputy Leader had met with the Director of Planning Services and the Senior Professional responsible for the project, and it had been agreed that a network of the largest businesses and organisations in the Borough would be established. These organisations were to meet on 14 December 2006, the matters arising from which would provide further points for action in the New Year.

It was also stated that the steering group for HEDRR had been widened, to include officers involved in regulatory work, business, and certain agencies such as West London Business.

In response to questions, it was stated that the second report had built upon the first, focusing on specific issues. The Panel heard that issues such as the type and nature of skills available in Harrow and the provision of courses were covered by the report. Members requested that details of the reports be circulated to them outside of the meeting.

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

(Note: The meeting having commenced at 7.30 pm, closed at 8.25 pm)

(Signed) COUNCILLOR MANJI KARA  
Chairman





**STRATEGIC PLANNING ADVISORY PANEL  
(SPECIAL)****15 NOVEMBER 2006**

Chairman: \* Councillor Marilyn Ashton

Councillors:	* Robert Benson	* Mrs Kinnear
	* Keith Ferry	* Narinder Singh Mudhar (3)
	* Thaya Idaikkadar	* Navin Shah

\* Denotes Member present  
(3) Denotes category of Reserve Member

**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**29. **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 Manji Kara	Councillor Narinder Singh Mudhar

30. **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.

31. **Arrangement of Agenda:**

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

32. **Minutes:**

**RESOLVED:** That the minutes of the meetings held on 18 July 2006 and 12 September 2006 be deferred to the next ordinary meeting of the Panel.

33. **Deputations:**

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

34. **Draft Further Alterations to the London Plan (Spatial Development Strategy for Greater London):**

The Director of Planning Services introduced the report, which provided a broad summary of the changes to the London Plan proposed by the Mayor of London. Appended to the report was the West London Alliance (WLA) Review Paper, which highlighted emerging key issues for West London.

The Director of Planning Services explained that the content of the London Plan was fundamental to the Borough's future, as Harrow's Local Development Framework would need to comply with the Plan. The Plan predicted a significant population increase and addressed how this might be accommodated in areas such as employment, education, housing, health and infrastructure. Harrow's response to the proposed alterations would be submitted to the Mayor of London in December 2006, and a public enquiry was likely to be held in June 2007. The enquiry panel would determine the issues to be discussed, and who would be invited to attend. In addition to producing the Harrow response, Harrow would be contributing to a West London response in collaboration with other members of the WLA.

The Director of Planning Services invited the Panel to comment on the proposed changes to the London Plan, particularly in relation to the impact they would have on West London, and Harrow. During the discussion on the report, the following issues were raised:

- Concern was expressed at the proposal to extend the 'life' of the Plan by a further ten years, to 2026. The Panel felt that this was looking too far ahead,

and could cause significant problems in predicting what the Borough's needs would be at that time. The Panel recommended that the original timeframe to 2016 should remain, with a programme put in place to review the Plan every two years.

- It was the Panel's view that, in places, the Plan concentrated on local policy instead of focusing on issues at a strategic level.
- The Panel felt that West London should be given more attention in the Plan. The focus on East London was understandable due to the development required for the 2012 Olympics, but this should not be to the detriment of other areas. Similarly, outer London boroughs should not be ignored at the expense of inner London boroughs.
- Concern was expressed that the Plan seemed to predict that outer London would become 'dormitories' for people commuting to inner London. The Panel agreed that Harrow aspired to a vibrant economy with sustainable employment and growth of small businesses. It was recommended that the Plan recognise this and include a section on how to support and encourage such growth at a strategic level.
- A more integrated approach to how the transport infrastructure would deal with growth was needed in the Plan. This should include orbital transport improvements and give greater prominence to Heathrow Airport.
- The Panel questioned the source of the prediction that public transport would need to increase by up to fifty per cent over the plan period. The Panel also requested further information on how the "40,000 additional homes by 2016" for West London predicted in the Plan would affect Harrow.
- The Panel strongly opposed the proposal to set a threshold of ten units for affordable housing. It was the Panel's view that affordable housing should be set by Local Authorities depending on the specific local needs of a borough, rather than dictated by the Mayor of London.
- A clearer explanation of how the energy strategy would be achieved was needed, as well as a coherent overall strategy for dealing with the effects of climate change.

Following advice from the Director of Planning Services that the Harrow Response to the proposed London Plan Alterations would be considered by Cabinet at its meeting on 14 December 2006, a Member requested that the report to Cabinet be circulated to Panel members before being presented to Cabinet. The Chairman, having sought advice from the Director of Strategic Planning, expressed concern that doing this would prevent the timely submission of the report to Cabinet. Subsequently, it was formally moved and seconded that the report to Cabinet be circulated to Panel members before being presented to Cabinet. Having been put to a vote, the motion was lost.

**RESOLVED:** That the Panel's comments be used to inform the development of the Harrow Response and the West London Response.

(Note: The meeting having commenced at 7.30 pm, closed at 9.02 pm)

(Signed) COUNCILLOR MARILYN ASHTON  
Chairman

PORTFOLIO HOLDER  
DECISION MEETING



## PORTFOLIO HOLDER DECISION MEETING

30 NOVEMBER 2006

Councillors: \* Chris Mote

\* Denotes Member present

**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**8. **Declarations of Interest:**

**RESOLVED:** To note that no interests were declared in relation to the business to be transacted at this meeting.

9. **Minutes:**

**RESOLVED:** That the minutes of the meeting held on 25 July 2006 be taken as read and signed as a correct record.

10. **Petitions:**

**RESOLVED:** To note that no petitions were received under the provisions of Executive Procedure Rule 15 (Part 4D of the Council's Constitution).

11. **Public Questions:**

**RESOLVED:** To note that no public questions were put at the meeting under the provisions of Executive Procedure Rule 16 (Part 4D of the Council's Constitution).

12. **Matters referred to the Executive Member (if any):**

**RESOLVED:** To note that no matters had been referred to the Executive Member for reconsideration in accordance with the provisions contained in the Overview and Scrutiny Procedure Rule 22 (Part 4F of the Council's Constitution).

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

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

14. **Key Decision - Building Schools for the Future - One School Pathfinder:**

It was noted that the meeting had been convened at short notice for the reasons set out in the agenda.

The Leader considered the report of the Director of Strategic Services (People First), together with the report considered by a cross-party Member Panel on 27 November 2006, which related to Harrow's One-School Pathfinder project, and involved the taking of an urgent key decision.

The reports referred to the invitation from the Department of Education and Skills (DfES) to participate in the second phase of the Government's Building Schools for the Future One-School Pathfinder (OSP). An application and selection process had been undertaken to determine which of Harrow's schools should be selected for the Pathfinder project. It was noted that the Member Panel had unanimously recommended that Whitmore High School be selected for the Pathfinder project.

The Leader noted that there was a requirement from the DfES for a detailed proposal in relation to the school selected by Harrow to be submitted by 30 November 2006. The meeting was informed that, in accordance with paragraph 16 – Special Urgency - of the Access to Information Procedure Rules of the Council's Constitution, the agreement of the Chairman of the Overview and Scrutiny Committee that the taking of the decision could not be reasonably deferred until Cabinet on 14 December 2006 had been obtained. She had also agreed that the decision in relation to this matter was urgent and as a result would not be subject to the call-in procedure.

**RESOLVED:** That Whitmore High School be selected for Harrow's One-School Pathfinder project.

**Reason for Decision:** In order to advise the DfES of Harrow's selection of Whitmore High School for Harrow's One-School Pathfinder project, in accordance with their deadline of 30 November 2006.

(Note: The meeting having commenced at 1.03 pm, closed at 1.05 pm)

(Signed) COUNCILLOR CHRIS MOTE



