

2006 – 2007
April 2007 Volume 11



**CABINET
AND
COUNCIL
MINUTES**

CABINET AND COUNCIL MINUTE BOOK

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[Note: A meeting of the Personnel Appeals Panel which had commenced and adjourned on 13 March 2007 reconvened on 30 April but adjourned again. The minutes of that meeting will be included in the Minute Volume for the month in which the meeting is concluded].

COUNCIL
AND
COUNCIL
COMMITTEES

LICENSING AND
GENERAL PURPOSES
PANELS

LICENSING PANEL

3 APRIL & 10 APRIL 2007

Chairman: * Councillor G Chowdhury

Councillors: * Thaya Idaikkadar * Ashok Kulkarni

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**105. **Appointment of Chairman:****RESOLVED:** That Councillor G Chowdhury be appointed Chairman of the Panel for the purposes of this meeting.106. **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.107. **Arrangement of Agenda:****RESOLVED:** That (1) in accordance with the Local Government (Access to Information) Act 1985, the letters in relation to the items listed below 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>
9. Application to vary a Premises Licence held by Café Café, 51 High Street, Harrow-on-the-Hill, HA1 3HT – additional representation from resident	This representation was received by the Licensing Authority before the deadline but was inadvertently not included with the papers submitted to Democratic Services for agenda compilation.
9. Application to vary a Premises Licence held by Café Café, 51 High Street, Harrow-on-the-Hill, HA1 3HT – letter from the applicant to the Food Service	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.

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

[Note: The order of the agenda was varied and agenda item 9 – Application to Vary a Premises Licence held by Café Café, 51 High Street, Harrow-on-the-Hill HA1 3HT was taken before agenda item 8 – Application for a Review for the Sarsen Stone PH, 32 High Street, Wealdstone, HA3 7AB. Agenda item 8 was therefore considered at the reconvened meeting of the Panel on 10 April 2007. For the sake of clarity, however, the minutes are recorded in the order of the business on the agenda].

108. **Minutes:**
(See Note at conclusion of these minutes).109. **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.110. **Licensing Procedures:**
The Chairman asked the Panel Members, officers, Responsible Authorities and other attendees at the meeting to introduce themselves and then outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.111. **Licensing Procedures for a Review Hearing:**
The Chairman outlined the procedure for the conduct of a review hearing, which was set out in the agenda.

112. **Application for a Review for The Sarsen Stone PH, 32 High Street, Wealdstone, HA3 7AB:**

The Panel received a report of the Chief Environmental Health Officer, which detailed a review application in relation to the Premises Licence in force at Sarsen Stone, 32 High Street, Wealdstone, HA3 7AB. The review application had been submitted by Police Sergeant Carl Davis, the local police licensing officer, under two of the licensing objectives: the prevention of crime and disorder and public safety. Mr Nicholas Ray of the Local Planning Authority had submitted a supporting representation, under the prevention of public nuisance licensing objective.

Sergeant Carl Davis, representing the Police, and Mr Nicholas Ray, representing the Local Planning Authority, were in attendance. Representing Sarsen Stone were Mr Boris Marco, the Premises Licence Holder, Mr Edwin Marco, the Designated Premises Supervisor (DPS), and their legal representative, Ms Paula Mareri.

Sergeant Davis stated that the review application had been made following a series of seventeen incidents at the premises requiring police attendance between 28 January 2006 and 6 February 2007, and which were detailed in the application. In response to a question from Ms Mareri, Sergeant Davis confirmed that the application did not contain details of any robberies, although Sergeant Davis was aware of a robbery that had occurred close to the premises. In light of this, the legal advisor to the Panel advised that the reference to robbery on page 34 of the agenda should not be taken into consideration by the Panel when determining the application. It was the recommendation of the Police that the licence be revoked, but if the Panel was not minded to revoke the licence, Sergeant Davis advised that the Police would request appropriate conditions in relation to crime and disorder and public safety to reduce the volume of complaints requiring police attendance at the premises. Sergeant Davis emphasised the need for a suitable CCTV system to be installed at the premises and expressed concern that this had not already been done, despite several meetings between himself and representatives of the premises where this had been discussed. He also advised that a door supervisor be required. Sergeant Davis confirmed that police had not been called to the premises since the review application had been submitted.

Mr Ray stated that the licensing hours granted exceeded those permitted by the planning conditions for the premises. A further planning condition prevented the use of amplified sound, and so the playing of recorded music could breach this condition. Mr Ray advised that the Local Planning Authority had not received any complaints from residents in relation to either the opening hours or noise emanating from the premises, but advised that any additional time that the premises were open would have an impact on public nuisance.

Ms Mareri requested permission to table two documents, which was agreed by the Panel and Sergeant Davis. In addition, Sergeant Davis requested permission to table a further document, which was agreed by the Panel and representatives of the Sarsen Stone. The Panel adjourned for a short time to read the tabled documents, which comprised:

- Contract of employment for Mr Duignan (tabled by Ms Mareri)
- Quotation for installation of CCTV (tabled by Ms Mareri)
- Crime Prevention Officer's comments on the above quotation (tabled by Sergeant Davis)

Ms Mareri's representation raised a number of issues in relation to the incidents recorded in the Police application and included the following points:

- Only seven of the seventeen incidents could be regarded as of a criminal nature, as the other incidents were either routine licensing visits or follow-up contacts relating to an earlier incident.
- Representatives of the premises had not been informed by Police that cocaine had later been found on the man arrested at the premises on 28 June 2006, or that the bag removed from the premises on 24 January 2007 had been found to contain traces of cocaine.
- The incidents on 9 September 2006 and 24 December 2006, in which police had been called to assist with the removal of people who refused to leave the premises, indicated that the premises were managed responsibly and that police intervention had been sought to prevent escalation of the incident.

- The laptop removed from the premises by the Police on 17 January 2007 had been left by a customer for safekeeping, although the customer had never returned to collect it.
- The incidents of people being drunk and disorderly at the premises on 8 August 2006 and 17 January 2007 did not take into consideration any medical conditions or other factors that might have affected the people in question.
- The CCTV had been faulty on a number of occasions and the owners of the premises were dependent on engineers to carry out repairs.
- The owners of the premises had obtained a quotation for a new CCTV system and submitted this to the Crime Prevention Officer for comment. A response had only been received at noon on 10 April 2007, and it was the owners' intention to proceed with obtaining a quotation for a system which met the Crime Prevention Officer's requirements.
- The manager referred to in several of the incidents, Mr Duignan, had his employment terminated one week before the review application had been issued, as it had been found that he was not operating the CCTV equipment properly, which was in breach of his contract of employment.
- Since the departure of Mr Duignan, the Marcos had been managing the premises themselves, and there had been no incidents requiring police attendance.
- The owners of the premises did not believe there was a need for door supervisors and even felt that these could have a negative effect and had the potential to antagonise customers.
- In relation to recorded music, there was no soundproofing at the premises but the management monitored noise and made adjustments as necessary.
- There had been problems at the premises at the past, but the situation was not as serious as the Police application suggested, and, since the review application had been submitted, there had been no criminal incidents at the premises due to an improvement in management.

In response to a question from Sergeant Davis, Mr Edwin Marco advised that currently four people were barred from the premises, and that he had not been present at the time of any of the incidents recorded in the Police application for a review. Mr Boris Marco stated that the busiest operating times were Friday and Saturday nights, when there could be in excess of fifty people on the premises. Doormen had been provided on one occasion for a specific event, but were not usually employed as the owners did not believe they were needed.

In response to a question from the legal advisor to the Panel, Sergeant Davis confirmed that the Police did not consider that the premises was being used for the sale and distribution of Class A drugs, or as a base for organised criminal activity by gangs.

The Panel retired to consider all the facts and evidence presented before them and

RESOLVED: That the licence be modified to include the following additional conditions:

1. CCTV equipment shall be installed, operated and maintained in good working order and in accordance with the recommendations of the Police or Crime Prevention Officer.
REASON: The prevention of crime and disorder.
2. Failure to comply with Condition 1 within three months of the date of the Panel's decision (10 April 2007) will result in the license being suspended for a maximum period of three months. During the period of suspension, the license will be reinstated if Condition 1 is complied with. If Condition 1 is not complied with during the period of suspension, the license will be revoked at the end of the three month period.
REASON: The prevention of crime and disorder.
3. Signs shall be prominently displayed and prevented from damage or deterioration advising normal hours of permitted licensable activity.
REASON: The prevention of crime and disorder.

4. Security arrangements shall be sufficient to discourage the sale, supply and consumption of drugs on or in the immediate vicinity of the premises (eg. require that staff check the toilet area regularly).
REASON: The maintenance of public safety.
5. The Police shall be informed if anyone is found in possession of illegal drugs or an offensive weapon or is known to have been involved in the sale of supply of illegal drugs.
REASON: The maintenance of public safety.
6. The Police shall be consulted regarding the steps which could be taken to assist with the surveillance of offenders and in respect of other crime prevention measures.
REASON: The maintenance of public safety.
7. The advice of the Police shall be sought on procedures for keeping records of incidents (eg. violence, disorder and other criminal activity, drug and weapon seizures) and making such records available for inspection.
REASON: The maintenance of public safety.

113. **Application to Vary a Premises Licence held by Café Café, 51 High Street, Harrow-on-the-Hill HA1 3HT:**

The Panel received a report of the Chief Environmental Health Officer, which detailed an application to vary a Premises Licence for Café Café, 51 High Street, Harrow-on-the-Hill, HA1 3HT. The applicant had sought to vary the licence, as the applicant had acquired 49 High Street and wished the terms of the licence to be the same as that of 51 High Street.

The application had been made by Mr John Morrisroe of Caterwish Ltd and was referred to the Panel as there were three unresolved representations from Relevant Authorities, the Metropolitan Police, the Environmental Health Authority and Food Safety and a number of residents. The Chief Environmental Health Officer advised that the representation made by Food Safety had been withdrawn as agreement had been reached with the applicant. Sergeant Carl Davis was in attendance on behalf of the Metropolitan Police and Louise Roberts was in attendance from the Environmental Health Authority. Also present were John Morrisroe, the applicant, Brian Morrisroe, the managing director of Caterwish Ltd, Gerry Marapau, the applicant's accountant and Ben-Walker Nolan, the applicant's representative. Several residents including those who had made representations were also present.

The applicant's representative explained that Café Café had been operating at 51 High Street for 17 years and a variation was being sought to extend the existing licence into the ground floor and basement area of No. 49 High Street. In addition, the applicant was applying for the provision of live music to enable a DJ to play recorded music in the basement of No. 49 High Street. The applicant confirmed that it was not his intention to have a live band at the premises. He only required a DJ to play recorded music.

The Panel's legal adviser informed the Panel that a licence for live music entitled the holder of the licence to have a live band in the premises if it was so desired.

On advice from the Panel's legal adviser and the Chief Environmental Health Officer, the applicant withdrew the application for live music and instead requested that the existing licence for recorded music at No. 51 be extended to No. 49. The applicant stated that a DJ would operate in the basement of No. 49 on Thursdays, Fridays and Saturdays from 20.00 hours until 24.00 hours, when private functions were being held.

Objectors informed the Panel that this clarification had allayed some of the comments made in their representations, however they expressed the following concerns:

- That dancing would take place.
- Whether outside drinking would be permitted.
- Whether the noise level could be restricted.
- That a DJ would attract large numbers of young people.
- Noise from patrons leaving the premises.
- Noise of shutters closing.

- That the rear of the premises was close to a school boarding house and the boys' sleep would be disturbed.

In response, the Chief Environmental Health Officer informed the hearing that dancing would not be permitted, as it had not been included in the application. The applicant clarified that the seating capacity of the basement was 24 people and there would be no space for dancing to take place. The Chief Environmental Health Officer also explained that, in accordance with the Licensing Act, he had converted the information provided by the applicant in the operating schedule into enforceable conditions, which were outlined in Annex 2 to the officer report. One of these conditions was that there would be no drinking area outside the premises. The applicant clarified that there could be no drinking area outside No. 49 due to the design of the front of the premise but that it was requested that the French doors opening onto an outside drinking area to the front of No. 51 be maintained. Therefore the condition stated above was amended to read, 'No drinking area outside the premises of No. 49'.

In response to the other concerns raised by residents, the applicant and his representatives made the following comments:

- The basement had been soundproofed.
- The DJ would not attract large numbers of young people as the DJ would only play when private functions were taking place. The only other time the basement would be used was when an overspill area was necessary.
- Signs were displayed asking patrons to leave the premises quietly but staff and the door supervisor, who was a member of staff that had recently been trained, could engage more with patrons to reinforce this.
- The applicant was looking into replacing the existing shutter to reduce the noise for residents.

A Member queried whether it was appropriate to proceed with the hearing as the application had been significantly amended at the meeting. The legal adviser explained that the amendments would not prejudice residents as the applicant had reduced, and not increased, the terms of the application. Therefore, it was appropriate to proceed.

In response to questions from Louise Roberts on steps that had been taken to address the concerns made in her representation, the applicant informed her that a time clock would be fitted to the kitchen extraction unit, that he had visited the premises above the restaurant with a sound engineer and it had been agreed that buffers would be fitted to the back of the speakers. Air conditioning had been fitted to both No. 49 and No. 51 and the extraction unit in the kitchen would be switched off at night.

In response to questions from Carl Davis about the conditions recommended in his representation, the applicant stated that all the conditions would be acceptable.

The Chief Environmental Health Officer explained that the current licence allowed the premises to remain open 24 hours a day provided no licensable activities were taking place, but that this right would be lost if the variation was granted. The closing time therefore needed to be stipulated. He added that the licence for late night refreshment currently in existence at No. 51 could not be extended to No. 49 as it had not been included in the application before the Panel.

An adjournment of 5 minutes was agreed by all parties to enable the applicant and his representative to consider whether they would withdraw the application or proceed with the hearing. Upon the hearing being reconvened the applicant's representative stated that the applicant wished to proceed with the hearing.

The representation from the Metropolitan Police cited the four Licensing Objectives, namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. Carl Davis requested that, if minded to grant the application, the Panel impose conditions relating to CCTV and no alcohol being sold after 23.00 hours except ancillary to table meals.

The representation from the Environmental Health Authority cited one of the four Licensing Objectives, namely the prevention of public nuisance. Louise Roberts explained that since the representation had been submitted, liaison with the applicant had taken place and the applicant was taking positive steps to address her concerns. The applicant had agreed to accept the conditions recommended in the report except doors and windows being kept closed while regulated entertainment was in progress.

This was due to the applicant's request that the premises' French doors be permitted to be opened. Therefore, Louise Roberts added that if the Panel placed a condition on the licence that noise and vibration would not emanate from the premises, the applicant would need to ensure that there was no noise break-out.

The applicant's representative clarified the amendments that were sought to the existing application, namely that:

- recorded music, which was currently permitted on the ground floor of No. 51, be extended to include the ground floor and basement of No. 49;
- the application for live music had been withdrawn;
- the sale of alcohol be permitted until 23.00 hours in both premises and thereafter until 24.00 hours ancillary to table meals;
- the conditions, as outlined above, were acceptable to the applicant.

The Panel considered all the facts and evidence presented before them and

RESOLVED: That the application, as amended, be granted for recorded music, the sale by retail of alcohol ancillary to table meals after 23.00 hours, with the premises closing at 24.00 hours, subject to the following conditions:

1. The conditions listed in Annex 2 with the amendment that there shall be no drinking area outside the premises of No. 49.
REASON: The prevention of public nuisance.
2. Doors and windows at the front and rear of both premises to be closed after 22.00 hours.
REASON: The prevention of public nuisance.
3. Noise and vibration shall not be permitted to emanate from the premises so as to cause a nuisance to nearby properties.
REASON: The prevention of public nuisance.
4. Air conditioning and/or mechanical ventilation should be in use while regulated entertainment is in progress.
REASON: Public safety.
5. The air conditioning and the kitchen extraction units must be switched off at 23.00 hours.
REASON: The prevention of public nuisance.
6. CCTV cameras shall be installed at the premises and shall be operated and maintained in good working order and in accordance with the recommendations of the police and crime prevention officer.
REASON: The prevention of crime and disorder.

[Note: A Member wished to be recorded as not having supported the Resolution above as he was in favour of the sale of alcohol being permitted until 23.30 hours in both premises and thereafter until 24.00 hours ancillary to table meals in No. 51].

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

Further to Committee Procedure Rule 15.2(ii) (Part 4B of the Constitution), it was

RESOLVED: (1) at 10.00 pm on 3 April 2007, the hearing being adjourned for Members to deliberate, and therefore at 10.10 pm, upon the meeting being reconvened, to continue until 10.30 pm;

(2) at 10.00 pm on 10 April 2007, the hearing being adjourned for Members to deliberate, and therefore at 10.15 pm, upon the meeting being reconvened, to continue until 10.30 pm.

(Note: The meeting having commenced at 7.30 pm on 3 April 2007 and adjourned at 10.20 pm, reconvened at 7.30 pm on 10 April 2007 and closed at 10.23 pm)

(Signed) COUNCILLOR GOLAM SOBHAN CHOWDHURY
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].

LICENSING PANEL**11 APRIL 2007**

Chairman: * Councillor G Chowdhury

Councillors: * Raj Ray * Jeremy Zeid

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**115. **Appointment of Chairman:****RESOLVED:** That Councillor G Chowdhury be appointed Chairman of the Panel for the purposes of this meeting.116. **Declarations of Interest:****RESOLVED:** To note that the Chairman, in relation to agenda item 7 - Bahar Tandoori, 291 Burnt Oak Broadway, Edgware, declared a personal interest on behalf of the Panel, and made the following statement:

“Councillor Kinnear is known to the Members of this Panel, but I think I speak for all of us in saying that I feel able to consider this matter objectively in the public interest and I propose to do so.”

117. **Arrangement of Agenda:****RESOLVED:** That all items be considered with the press and public present.118. **Minutes:**
(See Note at conclusion of these minutes).119. **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.120. **Licensing Procedures:**

The Chairman asked the Panel Members, officers, and other attendees at the meeting to introduce themselves and then outlined the procedure for the conduct of an oral hearing, which was set out in the agenda.

121. **Application for a new Premises Licence for Bahar Tandoori, 291 Burnt Oak Broadway, Edgware, HA8 5ED:**

The Panel received a report of the Chief Environmental Health Officer which detailed an application for a new premises licence for Bahar Tandoori, 291 Burnt Oak Broadway, Edgware, HA8 5ED. The application sought permission for the supply of alcohol on the premises.

The application had been made by Zakir Hussain and Badsha Mia, and had been referred to the Panel as unresolved representations had been received from the Planning Authority, the Metropolitan Police and an Interested Party. The Chief Environmental Health Officer's representative reported that the representations made by the Planning Authority and the Metropolitan Police had subsequently been withdrawn, as agreement had been reached with the applicant. Mr Mia, his solicitor, Chris Stocker, the Interested Party, Mrs Mandalia, Councillor Eileen Kinnear, representing Mrs Mandalia, and Councillor Margaret Davine were also present. As Councillor Davine had not submitted a representation and did not represent an Interested Party she was not permitted to speak. Mr Mia informed the Panel that the co-applicant, Mr Hussain was unable to attend.

Mr Mia informed the Panel he had successfully worked in the restaurant trade for over 15 years and had been a joint owner of two cafes since 1991. Mr Stocker confirmed that the representations from the Responsible Authorities had been resolved following an agreement to the conditions set out in their representations, and amendment to the closing time on Sunday to 22.30 hours. He furthermore informed the Panel that CCTV and a centrally monitored alarm system would be installed within the next two weeks.

Mr Mia had attempted to resolve the issues raised by Mrs Mandalia, but had been unable to reach an agreement. Mr Stocker informed the Panel that alcohol was not currently sold on the premises and that the menu had been amended to read the correct closing time on Sundays to 22.30 hours. He furthermore confirmed that alcohol would only be served with a table meal and not with a take away.

Mr Stocker explained that the concerns raised by Mrs Mandalia, regarding litter and anti-social behaviour, were more likely to be caused by other premises in the area and stated that his client would comply with all the police conditions. He therefore asked the Panel to grant the premises licence subject to the conditions earlier agreed with the Responsible Authorities.

In response to questions from the objector and her representative, Mr Mia stated that there had been no supply of alcohol despite the offer of free beer printed on the menus. Those menus had been revoked and revised ones issued. Furthermore Mr Stocker explained that the premises had been acquired on a three month trial basis after which time it was decided to purchase the premises and obtain a liquor licence. Mr Stocker had subsequently realised planning permission was required after the application for a premises licence had been submitted.

An officer informed the Panel that the planning issue had been resolved regardless of any potential previous breaches.

The applicant confirmed that the premises was both a restaurant and take-away, but that alcohol could only be consumed in the restaurant with a table meal, however unfinished bottles of alcohol could be taken away by the customer. Responding an officer advised that customers could not remove unfinished bottles of alcohol from the premises.

In response to questions from the Panel the applicant stated that he kept the premises and the surrounding area free from litter. Furthermore he explained that in addition to being a good business move, his patrons preferred alcohol with their meal, and he therefore had sought a premises licence. The applicant also confirmed that he would not sell alcohol to individuals under the age of 16 and would ask for proof of identity when in doubt.

In her representation, Mrs Mandalia stated the premises had remained open beyond their closing time, which had caused nuisance to the neighbours. They had further breached their planning permission as their original application had been for a take away as opposed to a restaurant. Mrs Mandalia therefore was concerned that the premises licence would be breached as well and requested that public nuisance be avoided by prohibiting the sale of alcohol and respecting opening and closing times.

The Panel considered all the facts and evidence presented before them and

RESOLVED: That the premises licence for Bahar Tandoori, 291 Burnt Oak Broadway, Edgware, HA8 5ED, be granted subject to the additional conditions and amendment to the Sunday closing time agreed in the preamble above, and the following additional condition:

AMENDED HOURS:

Sunday: 12.00 – 14.30 and 18.00 – 22.30

ADDITIONAL CONDITION:

1. The Licence holder should remove any litter from the front of the premises before closing each day and should keep the front of the premises tidy during opening hours.

REASON: The prevention of public nuisance.

122. **Application for a new Premises Licence for Ishq, 217-219 High Road, Harrow Weald, HA3 5EE:**

The Chief Environmental Health Officer's representative advised that the representations that had been made by the Environmental Health Authority in respect of an application for a new premises licence for Ishq, 217-219 High Road, Harrow Weald, HA3 5EE, 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 the application for a premises licence for Ishq, 217-219 High Road, Harrow Weald, HA3 5EE, 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.

(Note: The meeting having commenced at 7.48 pm, closed at 9.35 pm)

(Signed) COUNCILLOR GOLAM SOBHAN CHOWDHURY
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].

STRATEGIC
PLANNING
COMMITTEE

REPORT OF STRATEGIC PLANNING COMMITTEE

MEETING HELD ON 18 APRIL 2007

Chairman: * Councillor Marilyn Ashton

Councillors: * Don Billson * Manji Kara
 * Keith Ferry * Narinder Singh Mudhar
 * Graham Henson (2) * Joyce Nickolay
 * Thaya Idaikkadar

* Denotes Member present

(2) Denotes category of Reserve Member

[Note: Councillors John Cowan and Bill Stephenson also attended this meeting to speak on the items indicated at Minute 69 below].

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

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

Ordinary Member
Reserve Member

Councillor Mrinal Choudhury

Councillor Graham Henson

69. 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 John Cowan

Planning Applications 1/04 and 1/05

Councillor Bill Stephenson

Planning Application 3/03

[Note: Subsequently, items 1/04 and 1/05 were deferred, and Councillor John Cowan did not speak].

70. 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 Applications 1/04 - Government Buildings, Honeypot Lane, Stanmore and 1/05 – Land adj. Edgware Brook and Whitchurch Lane, Honeypot Lane, Stanmore
 Councillor John Cowan, who was not a member of the Committee, declared a personal interest in the above related items arising from the fact that he was a member of the Canons Park Residents' Association (CAPRA).

71. Arrangement of Agenda:

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

Item
Special Circumstances / Grounds for Urgency

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.

16. Burlington Park Members were requested to consider this report as a matter of urgency, to ensure that the Deed of Easement may be completed by the end of April 2007.

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

<u>Item</u>	<u>Reason</u>
16. Burlington Park	The report was considered to contain exempt information under paragraph 5 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) in that it contained information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

72. **Minutes:**

RESOLVED: That the Chairman be given authority to sign the minutes of the meeting held on 14 March 2007 as a correct record once they have been printed in the Council Bound Minute Volume, subject to the following amendment:

Minute 57 – Right of Members to Speak

Add:

Councillor Mrs Kinnear

Planning Application 1/01

73. **Public Questions:**

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

74. **Petitions:**

RESOLVED: To note receipt of the following petitions, which were referred to the Head of Planning for consideration:

- (i) Petition objecting to the amended plans submitted by Berkeley Urban Renaissance for the Government Building Site at Honeypot Lane
Councillor John Cowan presented the above petition, which had been signed by 13 members of CAPRA.
- (ii) Petition protesting about plans to build on St George's playing field
Councillor Asad Omar presented the above petition, which had been signed by 113 people

[Note: The petition at (ii) above had also been presented to the Cabinet meeting held on 15 March 2007].

75. **Deputations:**

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

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

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

77. **Representations on Planning Applications:**

RESOLVED: That, in accordance with the provisions of Committee Procedure Rule 18 (Part 4B of the Constitution), representations be received in respect of items 1/03A, 1/03B and 1/04 on the list of planning applications.

[Note: Subsequently, item 1/03B was withdrawn and item 1/04 was deferred, and representations were not therefore received in respect of these items].

78. **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.

79. **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: That the report be noted.

80. **Revisions to Scheme of Delegations:**

The Committee received a report of the Director of Planning Services, which sought agreement to a revised scheme of delegations. A revised version of the Schedule at Appendix (iii) to the report, was tabled. The Director of Planning Services advised that the revised version corrected typographical errors.

A Member suggested that it would be helpful if the Schedule included an explanation of the powers delegated by the Council to the planning committees, and the authority under which the Committees delegated authority to officers.

Members were of the view that the document should be called a "Scheme" rather than a "Schedule", and agreed that the revised version should be submitted to the next meeting of the Development Management Committee, to enable both planning committees to consider the proposed revisions to the Scheme.

RESOLVED: That (1) the revised Schedule of Delegations tabled at the meeting be amended to incorporate an explanation of the delegated powers;

(2) the document be titled "Scheme of Delegation";

(3) the revised Scheme of Delegation, amended in accordance with the comments set out above, be agreed;

(4) the revised Scheme of Delegation be presented to the next meeting of the Development Management Committee.

81. **Burlington Park:**

The Committee received a confidential report of the Director of Legal and Governance Services in this regard.

RESOLVED: That the Section 52 Agreement dated 2 December 1983 between the Greater London Council Harrow Council and Cardinal Homes Limited be discharged on completion of the easement referred to in the report of the Director of Legal and Governance Services.

82. **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 7.50 pm).

(Signed) COUNCILLOR MARILYN ASHTON
Chairman

SECTION 1 – MAJOR APPLICATIONS

LIST NO:	1/01	APPLICATION NO:	P/3556/06/CFU
LOCATION:	Canons High School, Shaldon Road, Edgware, HA8 6AL		
APPLICANT:	Leslee Burke for Canons High School		
PROPOSAL:	Construction of three storey extension to school in two phases to provide sixth form teaching block		
DECISION:	<p>(1) GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported, and the additional informative reported on the Addendum being amended to read:</p> <p>“The applicant’s attention is drawn to the need to ensure that to enable students to rely on more sustainable modes of travel adequate secure personal storage facilities are required on site, thus reducing reliance eg. on cars”.</p> <p>(2) RESOLVED that the Director of Lifelong Learning be advised of the above informative and requested to liaise with the applicant, as appropriate, to ensure that it was carried out.</p>		

LIST NO:	1/02	APPLICATION NO:	P/0274/07/CFU
LOCATION:	Marlborough Hill First and Middle School, Marlborough Hill, Harrow, HA1 1UJ		
APPLICANT:	LCE Architects for Harrow Council		
PROPOSAL:	Construction of new single storey reception, single storey extension to toilets and two storey teaching block		
DECISION:	GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported.		

LIST NO:	1/03A	APPLICATION NO:	P/3420/06/CFU
LOCATION:	John Lyon School, Middle Road, Harrow, HA2 0HN		
APPLICANT:	Kenneth W Reed & Associates for The John Lyon School		
PROPOSAL:	Three storey side/rear extension to provide additional classrooms; alterations		
DECISION:	<p>(1) INFORM the applicant that:</p> <p>(a) The proposal is acceptable subject to the completion of a legal agreement within six months (or such period as the Council may determine) of the date of the Committee decision on this application relating to:</p> <p>i) A variation of the Section 106 Agreement dated 23 June 2006 (the Principal Agreement) to allow the development subject of this report outside building envelope shown in red on drawing number 977/31/B referred to in the Principal Agreement.</p> <p>(b) A formal decision notice granting permission for the development described in the application and submitted plans, as amended on the Addendum, and subject to the planning conditions and informatives reported, will be issued only upon the completion, by the applicant, of the aforementioned legal agreement.</p> <p>(2) RESOLVED that officers be requested to investigate student numbers to ascertain whether the maximum number permitted had been exceeded.</p>		

[Notes: (1) Prior to discussing the above application, the Committee received representations from an objector, which was noted;

(2) there was no indication that a representative of the applicant was present and wished to respond;

(3) the Committee wished it to be recorded that the vote to grant the application was unanimous].

LIST NO: 1/03B **APPLICATION NO:** SECTION 106 AGREEMENT
LOCATION: John Lyon School, Middle Road, Harrow, HA2 0HN
APPLICANT: Kenneth W Reed & Associates for The John Lyon School
PROPOSAL: Variations of the Section 106 Agreement dated 23 June 1005 (the principal agreement) to allow development outside the building envelope shown in red on drawing number 977/31/B referred to in the principal agreement
DECISION: WITHDRAWN at the request of officers.

LIST NO: 1/04 **APPLICATION NO:** P/2315/06/CFU
LOCATION: Government Buildings, Honeypot Lane, Stanmore
APPLICANT: Turley Associates for Berkeley Urban Renaissance Ltd and Dominion Housing Group Ltd.
PROPOSAL: Redevelopment to provide 798 residential units (including 40% affordable housing), 959 sq m Class A1/A2/A3/A4/A5/D1 & D2 floorspace; 7927 sq m of B1 (a), (b), (c) floorspace including a business incubator centre; creation of a new access onto Whitchurch Lane; associated flood alleviation, landscaping, car parking and highway works
DECISION: DEFERRED at officer's request following consultation response received from the Greater London Authority.
(See also Minute 70).

LIST NO: 1/05 **APPLICATION NO:** P/2245/06/COU
LOCATION: Land adj. Edgware Brook & Whitchurch Lane, Honeypot Lane, Stanmore
APPLICANT: Turley Associates for Berkeley Urban Renaissance Ltd and Dominion Housing
PROPOSAL: New pedestrian access route and associated landscape works (as part of the comprehensive development of the former government office and DVLA site)
DECISION: DEFERRED at officer's request following consultation response received from the Greater London Authority.

SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

LIST NO: 3/01 **APPLICATION NO:** P/0415/07/CFU
LOCATION: John Lyon School, Middle Road, Harrow
APPLICANT: Kenneth W Reed & Associates for John Lyon School
PROPOSAL: Demolition of single storey building and elements of music school, construction of single and two storey extensions to form dining hall
DECISION: WITHDRAWN by the applicant

LIST NO: 3/02 **APPLICATION NO:** P/0417/07/CCA
LOCATION: John Lyon School, Middle Road, Harrow
APPLICANT: Kenneth W Reed & Associates for John Lyon School
PROPOSAL: Demolition of single storey building and elements of music school
DECISION: WITHDRAWN by the applicant

LIST NO: 3/03 **APPLICATION NO:** P/3626/06/COU
LOCATION: St George's Field, Pinner View, Harrow, HA1 4RJ
APPLICANT: CPP Architects Ltd. For St George's Parochial Church Council
PROPOSAL: Redevelopment of open space for residential use as fifty houses and flats along with parking, access and a new community/Scout building (outline application)
DECISION: REFUSED permission for the development described in the application and submitted plans for the reasons reported.

SECTION 4 – CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

LIST NO: 4/01 **APPLICATION NO:** P/0460/07/DNA
LOCATION: St John's School, Potter Street Hill, Northwood
APPLICANT: Mr G H Ralphs, Bursar for St John's School (Northwood) Ltd.
PROPOSAL: Consultation from London Borough of Hillingdon – Variation/deletion of conditions for sports field
DECISION: RESOLVED that no objection be raised.

SECTION 5 – PRIOR APPROVAL APPLICATIONS

LIST NO: 5/01 **APPLICATION NO:** P/0672/07/CDT
LOCATION: 12-22 Herga Road, Harrow, HA3 5AS
APPLICANT: Stappard Howes
PROPOSAL: Installation of six pole-mounted antennas on plantroom roof and three associated radio equipment cabinets at rear on ground level (prior approval for siting and appearance)
DECISION: RESOLVED that (1) prior approval of details of siting and appearance be required;
(2) prior approval of details of siting and appearance for the development described in the application and submitted plans be refused for the reason reported.

STANDARDS
COMMITTEE

REPORT OF STANDARDS COMMITTEE (SPECIAL)

MEETING HELD ON 23 APRIL 2007

Chairman: * The Right Revd Peter Broadbent

Councillors: * B E Gate * Joyce Nickolay
 * Mrs Kinnear * Phillip O'Dell
 * Jean Lammiman * Jeremy Zeid (3)

Independent Persons: † Ms Sheila Darr † Mr Mohammad Rizvi
 † Dr J Kirkland

* Denotes Member present
 (3) Denote category of Reserve Member
 † Denotes apologies received

PART I - RECOMMENDATIONS
RECOMMENDATION I - Model Code of Conduct for Local Authority Members

Your Committee received two versions of the Model Code of Conduct, one as issued by the Government and another which incorporated the Authority's amendments.

It was noted that the Code would come into force on 3 May 2007 and that the Authority had until 1 October 2007 to adopt it. The Committee had previously agreed to move towards the Authority's customised version of the Code of Conduct, to which further minor amendments were agreed at the meeting.

In addition, the Standards Board for England had recommended the adoption of the Ten General Principles as a reminder to Members and the public of the underlying principles of the Code.

Resolved to RECOMMEND: (to Annual Council)

That Harrow's revised Model Code of Conduct, together with the Ten General Principles of Conduct set out in Appendix 3 to the officer report, be adopted.

PART II - MINUTES53. **Attendance by Reserve Members:**

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

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Mrs Janet Cowan	Councillor Jeremy Zeid

54. **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.

55. **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>
5. Model Code of Conduct – Appendix 2	The Appendix was not available at the time the agenda was printed and circulated. Members were asked to consider this item as a matter of urgency.

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

56. **Minutes:**

RESOLVED: That the minutes of the Special meeting held on 1 March, and of the Ordinary meeting held on 26 March 2007 be deferred until the next ordinary meeting of the Committee.

57. **Model Code of Conduct:**
(See Recommendation I).58. **Publication of the Members' Register of Members' Interests:**

The Committee received a report of the Director of Legal and Governance Services, which set out progress made since December 2006 in relation to the use of the Democratic Services Team's modern.gov software for the administration of the Registration of Members' Interests.

Concerns had been raised regarding the publication of Councillors' personal details on the website and Members had sought comparative information from other boroughs for further guidance. In addition, officers had been requested to write to all Members of Council on the proposal to publish the Register of Interests on the website and seek their views on this initiative. As requested, a survey of London Boroughs, seeking their views on the proposal to publish the Register, had been carried out, the results of which were set out in the report.

It was noted that out of a possible 72 responses from Members/Co-opted members/Independent Members, only twelve had been received, as set out in the appendix to the report. The Committee felt that the number of responses was low and that Members ought to be given another opportunity to respond, as the matter of publishing personal data on the web was a sensitive issue.

Clearer definitions were sought on some of the terminology on the Register of Members' Interest forms, such as the provision of Members' home and employment contact details and/or daytime contact details. It was suggested that contact details of the Group Office could be used as an alternative.

RESOLVED: That (1) officers write again to all Members of Council, Co-opted and Independent Members advising of the proposal to publish Register of Members' Interests on the website and seeking their views on this initiative;

(2) should there be a variation in the tenor of the responses received to that reported, a further report be submitted to the Committee;

(3) should the tenor of the responses remain broadly similar, the proposal be implemented.

(Note: The meeting, having commenced at 6.00 pm, closed at 7.10 pm).

(Signed) THE RIGHT REVD PETER BROADBENT
Chairman

MEMBER
DEVELOPMENT
PANEL

MEMBER DEVELOPMENT PANEL

17 APRIL 2007

Chairman: * Councillor Jean Lammiman

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

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**24. **Attendance by Reserve Members:**

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

25. **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.

26. **Arrangement of Agenda:**

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

<u>Agenda item</u>	<u>Special Circumstances / Grounds for Urgency</u>
9. Member Development Programme 2007:	These documents were not available at the time the agenda was printed and circulated. Members were requested to consider these items, as a matter of urgency.
(i) Learning and Development Newsletter	
(ii) Training Evaluation Results	
(iii) Training Evaluation Form	

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

27. **Minutes:**

RESOLVED: That the minutes of the meetings held on 13 September and 16 November 2006 be taken as read and signed as correct records.

28. **Public Questions:**

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

29. **Petitions:**

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

30. **Deputations:**

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

31. **Final Report of the Light Touch Review of the Education of Looked After Children – Reference from the Children and Young People Scrutiny Sub-Committee Meeting held on 18 October 2006:**

The Panel received a reference from the Children and Young People Scrutiny Sub-Committee meeting held on 18 October 2006, which suggested that a Member seminar on corporate parenting should be organised.

A Member noted that an invitation for the Corporate Parenting meeting had been sent out and stated that the full Council should be involved in corporate parenting.

Members asked the relevant officer to organise an event for Members regarding corporate parenting and to liaise with the Corporate Parenting Panel for input on the training. The officer confirmed she would report any progress at the next meeting.

RESOLVED: That (1) the reference be noted;

(2) an event on corporate parenting be organised and the Corporate Parenting Panel be consulted to provide input into this event.

32. **Review of Whistleblowing Policy - Reference from the Standards Committee Meeting held on 5 December 2006:**

The Panel considered a reference from the Standards Committee, further to that Committee's consideration of the review of the Whistleblowing Policy at its meeting on 5 December 2006.

RESOLVED: That the Whistleblowing Policy be incorporated into the Code of Conduct training.

33. **Question and Answer Session with the Portfolio Holder for People First – Children's Services and the Portfolio Holder for Legal Services - Reference from the Children and Young People Scrutiny Sub-Committee Meeting held on 9 January 2007:**

Further to the question and answer session with Portfolio Holders that had taken place at the Special Children and Young People Scrutiny Sub-Committee meeting on 9 January 2007, the Panel received a reference from that meeting which advised of discussions on anti-social behaviour in the bus station.

RESOLVED: That this issue, which had been incorporated in the action learning event for Members held on 6 February 2007, be noted.

34. **Member Development Programme 2007:**

An officer introduced a report of the Director of People, Policy and Performance, which outlined the Member Development Programme for 2007.

Following the action learning event "Help to reduce your fear of crime" held on 6 February 2007, the officer was looking to develop two further events for this year, and tabled a newsletter on the event held on 6 February 2007. The purpose of the events was to develop Members' skills in an interactive way, and ideas were sought from the Panel as to how to achieve this.

The Panel discussed the topic for the next action learning event and suggested that training activity on identifying trends in data and Management Information Systems ought to be included. The officer indicated that the events would challenge Members and advised that the set-up would be similar to the event held on 6 February 2007. The Panel asked the officer to invite engaging and challenging guest speakers to each event, who had expertise in the area being discussed.

A Member expressed concern that Cabinet Member training should be a high priority and mandatory, and suggested that training ought to be provided prior to official appointments. The Chairman suggested that the Chairman of Cabinet could identify Portfolio Holders' needs and notify the Learning and Development Team. Responding, the officer reported that the Harrow Leadership and Management Programme would provide leadership development for Members of the Cabinet. It was suggested that this programme should also cover succession planning for future Cabinet Members.

A Member stated that at present there was no training provided on finance in the mandatory Member training. The officer explained that a finance training session had taken place this year, but that it could as a contingency measure be part of the mandatory training package. Members suggested organising a separate mandatory finance training for all Members in June and an action learning event covering finance in November 2007. It was emphasised that the event ought to be made inviting in order to attract Members.

The officer tabled an evaluation report of learning events from the previous year. The Panel inquired if an evaluation had taken place following the event held on 6 February 2007.

It was noted that the next meeting of the Panel would not take place until September and it was queried whether an extra meeting was needed before summer to discuss

the workplan and its timetable. The Panel agreed that it would be difficult to schedule a meeting and it would be better to liaise informally.

RESOLVED: That (1) an interim mandatory finance training session be held in June 2007;

(2) an action learning event covering performance and improvement be arranged in May/June 2007;

(3) an event on finance be arranged for November 2007 for all Members of Council;

(4) an evaluation form be distributed to attendees of the action learning event held on 6 February 2007 and results of which would be reported back to the Panel.

(Note: The meeting having commenced at 6.05 pm, closed at 7.25 pm)

(Signed) COUNCILLOR JEAN LAMMIMAN
Chairman

OVERVIEW AND
SCRUTINY
COMMITTEE

REPORT OF OVERVIEW AND SCRUTINY COMMITTEE

MEETING HELD ON 24 APRIL 2007

Chairman: * Councillor Jean Lammiman

Councillors: * B E Gate * Anthony Seymour
* Mitzi Green * Mrs Rekha Shah
* Salim Miah * Stanley Sheinwald
* Jerry Miles * Dinesh Solanki (1)
* Christopher Noyce * Mark Versallion

* Denotes Member present

(1) Denote category of Reserve Member

[Note: Councillors Macleod-Cullinane and Ms Nana Asante also attended this meeting to speak on the items indicated at Minutes 124 and 128 respectively].

PART I - RECOMMENDATIONS**RECOMMENDATION I - Scrutiny Annual Report 2006-07**

The Committee considered its annual report for 2006/07, which provided an overview of the work and achievements of the scrutiny bodies over the past year following a change in the administration and in the structure of the Scrutiny Sub-Committees. The annual report also looked forward and identified projects for 2007/08. Members requested a number of minor amendments to the report, including details of the memberships.

The Committee was proud of the achievements of Scrutiny and of the pioneering work carried out by Scrutiny Members on reviews with the support of officers. The Committee felt that the Council had benefited from its sterling work in this regard.

The Chairman thanked Members and officers for their work on the annual report and for scrutinising challenging issues. Members thanked the Chairman for her service to Scrutiny and wished her a successful 2007/08 in her intended role as the Borough's Mayor.

The Committee, having agreed the annual report subject to minor amendments, and in order to meet its obligations under the Council's Constitution

Resolved to RECOMMEND: (to Council)

That the Committee's annual report for 2006/07, as now amended, be noted.

PART II - MINUTES116. **Attendance by Reserve Members:**

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

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Mrs Myra Michael	Councillor Dinesh Solanki

117. **Declarations of Interest:**

RESOLVED: To note that the following interest was declared:

Agenda Item 11 – Arts Culture Harrow – Report of the Challenge Panel

Councillor Jean Lammiman declared an interest in that she had given evidence to the Challenge Panel. She vacated the Chair during consideration of this item and took no part in the discussion or decision-making relating to it.

118. **Arrangement of Agenda:**

The Chairman re-ordered the agenda and it was

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

<u>Agenda item</u>	<u>Special Circumstances / Grounds for Urgency</u>
10. Reconfiguring Scrutiny	This report was being consulted on at the time of the dispatch of the agenda and was not received in its final form to be included on the agenda. Members were requested to consider this item, as a matter of urgency, as it would not be in the interests of the Council to delay consideration of this report and in order to allow recommendations - if any - to be made to the appropriate bodies of the Council for final decision.
11. Arts Culture Harrow – Report of the Challenge Panel	This report was not available at the time the agenda was printed and circulated as it was being consulted on. Members were requested to consider this item, as a matter of urgency, so that the recommendations of the Challenge Panel, set up by the Committee, could be considered.
13. Individual Performance Appraisal and Development	This report was not available at the time the agenda was printed and circulated because of an unforeseen absence of a member of staff. Members were requested to consider this item in order to avail themselves of the progress made on IPAD.
16. Scrutiny Annual Report 2006-07	This report was not available at the time the agenda was printed and circulated as it was being consulted on. Members were requested to consider this item, as a matter of urgency, so that the work of scrutiny could be reported to Council.

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

119. **Minutes:**

RESOLVED: That the minutes of the meeting held on 27 March 2007 be confirmed as a correct record and the Chairman be authorised to sign them when printed in the Council Bound Minute Volume.

120. **Public Questions:**

It was noted that the Portfolio Holder for Adult and Community Care Services and Issues Facing People with Special Needs had, as requested, provided responses to supplementary questions to public questions at the last meeting of the Committee. The Chairman stated that she would send the responses to the questioners and provide copies to all Members of the Committee.

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

121. **Petitions:**

RESOLVED: To note that no petitions had been received.

122. **Deputations:**

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

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

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

124. **Fairtrade:**

The Committee received a report of the Director of People, Performance and Policy, which set out the actions required for Harrow to become a Fairtrade Town. The report also outlined the progress made and how the intended objective could be achieved.

An officer introduced the report and stated that since the decision by Council in 2005, the original momentum on this matter had been lost and that the report was intended to re-invigorate the campaign for Fairtrade. The Council's partners would be engaged on this matter through the Harrow Strategic Partnership (HSP). Resources of the HSP would help reduce the impact on costs associated with the initiative.

The Chairman of the Fairtrade Steering Group informed the Committee that the new administration needed to take a view on how this matter ought to be progressed, which should be done with the assistance of a strategy and an action programme. He outlined the requirements necessary to achieve Fairtrade status.

Members welcomed the report and commented as follows:-

- They were disappointed that, despite the decision of Council, there had been no noticeable activity by the Council on this important issue and during the most recent Fairtrade fortnight.
- Fairtrade was especially important in a multi-cultural borough like Harrow.

Following further discussion, it was

RESOLVED: That (1) the Director of People, Performance and Policy submit further updates on this issue twice yearly, with the first one being presented in six months' time;

(2) the first update include details of the response received from Harrow In Business in relation to the assessment requested as set out in the officer report.

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

The Committee received a report on the performance to date on the Local Area Agreement (LAA) targets. An officer introduced the report and highlighted the stretched targets, which, if met, would be rewarded. He stated that the performance on the stretched targets had been good but pointed out that LAA would have to be renegotiated soon.

In response to questions from Members, the officer:-

- commented on the relationship with the Government Office for London (GOL);
- stated that the stretched target on the number of residential burglaries where the victim was over 75 years had been managed well but that this target would be measured over a period of 3 years and therefore the situation could alter.

RESOLVED: That (1) the 3rd quarter performance, as set out in the performance tables attached to the officer report, be noted;

(2) monitoring reports be submitted after data on all indicators had been received, generally in June and November of each year.

126. **Occupational Health and Safety:**

The Committee received a report of the Director of Financial and Business Strategy, which set out the work of the Health at Work Group and information on the Occupational Health Service. An officer introduced the report and informed Members that central government had stated its intention on occupational health and risk management. He added that the work in Harrow was being conducted through the Health at Work Group, which was chaired by the Director of People, Performance and Policy. Training was provided through the Harrow Rules programme and other workshops. Members were informed that the work of Occupational Health was not always related to work related problems of staff.

The officer and the Director of People, Performance and Policy agreed to provide data to Members on the issues raised. They responded to questions as follows: -

- The report only addressed occupational health and safety matters relating to staff employed by the Council but information on how many of Harrow's residents travelled to other boroughs to work and vice-versa would be provided.
- Scorecards were being used to track trends and further data would be available by end of the month.
- Absence from work was monitored and there had been a downward trend; however, in the last year this trend had reversed.
- Work on the key recommendations submitted to the Health and Safety Partnership Board were being done within existing financial constraints and other funding avenues, such as the Local Area Agreement (LAA) would be explored.
- Staff or managers could make referrals to Occupational Health which would decide whether a case management was necessary or a staggered return to work.
- The national trend for absence for psychological reasons was going up in all sectors.
- The staff survey would be re-designed soon and a question on whether the Council was a stressful place to work could be incorporated; research by the Work Foundation had shown that Harrow's figures were not high when compared with the rest of the public sector.

Following further discussion, it was

RESOLVED: That (1) the report be noted;

(2) officers submit further updates on this issue twice yearly, with the first one being presented in July 2007 addressing the following:

- indicators of trends and causations;
- comparative statistics/national averages in relation to absences due to psychological reasons;
- changes in the work environment and how national targets could be achieved;
- work carried out by the Work Foundation in achieving work/life balance.

127. **Strong and Prosperous Communities – Implications for Scrutiny of the Local Government White Paper:**

An officer introduced the report, which set out the implications for scrutiny as a result of the Strong and Prosperous Communities Local Government White Paper. She outlined the wide-ranging implications for scrutiny, as set out in the report, and outlined its relationship with the report on Reconfiguring Scrutiny, which was also on the agenda.

The officer highlighted the positive developments that would result from the White Paper and briefed Members on scrutiny's role as a 'gate keeper' of issues. Together with the Director of People, Performance and Policy and the Scrutiny Manager, she responded to questions from Members as follows:-

- It was unclear, at this stage, how Community Call for Action would function. It appeared that issues could be referred to another body provided reasons were given.
- Scrutiny's role in helping constituents would expand and this issue would be addressed as part of the report on Reconfiguring Scrutiny.
- Whilst formal consultation would be conducted during October-December 2007, there was a continuous process to influence the White Paper and it would be advisable to do this through the London Councils by the Leader of the Council.
- An early direction from Members of the Council on what was the best way forward for Harrow in relation to the White Paper would be helpful for officers as it was likely that implementation would be on a modular basis.

Members asked for further details and it was

RESOLVED: That (1) the report be noted and the Committee receive further reports on the impact of the White Paper on scrutiny structures;

(2) a further report be submitted to the July 2007 meeting of the Committee with a view to making a recommendation to the July 2007 Council on the following matters:-

- scenarios on how scrutiny would operate under the three local government models;
- how the proposed London Involvement Networks (LINKs) would operate;
- various platforms/lobbying methods that could be used to influence the White Paper.

128. **Arts Culture Harrow - Report of the Challenge Panel:**

The Committee considered a report of the Director of People, Performance and Policy, which set out the recommendations of the Arts Culture Harrow (ACH) Scrutiny Challenge Panel.

The Committee received a presentation from the Chairman of the Challenge Panel. The Chairman reported on the Panel's findings and stated that the investigation had not been in-depth. She explained why a Challenge Panel had been set up and provided background information on the ACH and, its predecessor body, Harrow Arts Centre Limited (HACL). In addition, the Panel Chairman commented on the discussion at the Challenge Panel about the Service Level Agreement (SLA) between the ACH and the Council, and briefed the Committee on key observations and recommendations of the Panel.

The Chairman of the Challenge Panel thanked the Portfolio Holder for Lifelong Learning, Cultural Services and Issues Facing Older People, along with officers and volunteers for their commitment and for providing evidence to the Challenge Panel.

In response to questions, the Panel Chairman and other Members of the Challenge Panel stated that:-

- The Panel had found that the SLA had not been properly costed from a business perspective, as a result of which the ACH might not have had sufficient funds to carry on with the business.
- The ACH appeared to have inherited the poor practices of the HACL.
- Whilst access to the building occupied by the ACH was an issue, the location of ACH was not, as it had had a loyal clientele, and it wasn't the main reason why the organisation had folded. However, although it had expanded its audience, there had been a problem in attracting a new clientele. In any case, a site in Harrow Town Centre would have been better.

- A reduction in money had not correspondingly resulted in a reduction in the service.
- The ACH had received limited information on HACL and salaries had not reflected the levels of responsibilities of staff.
- The ACH had not been autonomous and appeared to be entirely dependent on the Council. However, the ACH was an independent organisation and took its own decision to go into liquidation.

Members commented as follows:-

- The Challenge Panel had highlighted issues of leadership, responsibility, the difficult relationships within the ACH and its financial situation, the latter of which appeared to have played a major part in its demise.
- The situation was being addressed by the Council, which had taken direct control of the provision of arts and cultural services in Harrow.

Following further discussion on whether to refer the findings to the relevant Portfolio Holder or the Cabinet, it was:

RESOLVED: That (1) the findings of the Arts Culture Harrow Scrutiny Challenge Panel be noted and its recommendation agreed;

(2) the report be referred to the next meeting of the Cabinet.

[Notes: (i) The Chairman, Councillor Jean Lammiman, having declared an interest in this item, the Vice-Chairman, Councillor Mitzi Green, took the Chair;

(ii) upon the conclusion of this item, Councillor Jean Lammiman resumed the Chair].

(See also Minute 117).

129. **Individual Performance Appraisal and Development:**

The Committee received a progress report on Individual Performance Appraisal Development (IPAD) since the matter was last reported to the Committee in April 2006. The report updated Members on development of the IPAD process, which included details on how the process was monitored and the development of competencies for all staff.

An officer introduced the report and informed Members of the progress made on the scheme, the robust monitoring systems that had been embedded and drew attention to the IPAD completion rates during 2006/07. She added that, since Quarter 3, the completion rates appeared to have fallen recently and informed Members of the reasons for this trend.

Members were briefed on the link between IPAD and IIP (Investors in People), the core competency framework and the training provided, details of which were set out in the officer report.

In response to questions from Members, the officer explained the frequency of appraisals and how disagreements could be resolved. Different procedures were in place for members of staff whose performance was poor. She added that £25,000 had been earmarked for further development work on the IPAD and that external trainers might be engaged to carry out the work. There were real benefits to acquiring IIP badge and these were outlined at the meeting. The Corporate IIP was earmarked for 2008.

In response to questions on IPAD for Members, the Director of People, Performance and Policy stated that he had been commissioned to work on developing skills for Members and that competencies unique to the role of Members would form part of this exercise.

RESOLVED: That the report be noted and a progress report be submitted in April 2008.

130. **Reconfiguring Scrutiny:**

An officer introduced the report, which set out the arrangements proposed for the reconfiguration of the Council's scrutiny function. She outlined the proposed revised arrangements, which, if agreed, could come into force in the autumn following determination of various issues and consideration of further reports by the various

approving bodies. She outlined the arrangements during the interim period. No changes were proposed to the current operation of the Call-In Sub-Committee.

Members were informed that the principles of Scrutiny would remain intact/sacrosanct in any proposals that were finally agreed. The Scrutiny Manager outlined the proposals, as set out in the report. It was important that Scrutiny had the ability to respond to any changes as a result of the White Paper on Local Government.

Members commented as follows:-

- Whilst the Scrutiny Sub-Committees might not be required to meet in the interim, the reviews on obesity, NHS Finance and cultural services, ought to be completed and submitted to the Overview and Scrutiny Committee.
- Advisory Members were valuable and ought to be retained. It was noted that there was a statutory requirement to appoint parent governor representatives and "church" representatives with voting rights.
- A number of issues needed resolving but the proposal to appoint lead scrutiny Members ought not to mirror Portfolio Holder positions.
- Holding the Executive to account should not be lost in the reconfiguration process.
- A seamless change was required/necessary and that the terms of reference of the proposed new bodies should not be duplicated.

Members were advised how the interim arrangements would work and of the need to establish all the existing bodies in the interim period. Advice on the appointments of the Vice-Chairmen of the Scrutiny Sub-Committees could be sent to the Chairman and the Vice-Chairman of Overview and Scrutiny Committee.

The Chairman suggested that Liberal Democrat Members ought to be invited to participate in the Chairmen/Vice-Chairmen meetings.

RESOLVED: To (1) agree to the establishment of the Overview and Scrutiny Committee with the outline terms of reference and responsibilities set out in paragraphs 3.10 - 3.13 of the officer report;

(2) agree to the establishment of the Performance and Finance Sub-Committee with the outline terms of reference and responsibilities set out in paragraphs 3.3 - 3.9 of the officer report;

(3) agree to the establishment of lead Councillor roles, as set out in paragraph 3.6 of the officer report;

(4) agree to suspend the meetings of the Scrutiny Sub-Committees, except where a further meeting was deemed necessary by the relevant Chairman and Vice-Chairman;

(5) receive a final report to the Committee in July 2007, for submission to Council in July 2007, to confirm the reconfiguration proposals and to address the outstanding issues, as set out in paragraph 3.14 of the officer report and below: -

- a. detailed terms of reference for the Overview and Scrutiny Committee and Performance and Finance Sub-Committee
- b. areas of responsibility for lead scrutiny Councillors
- c. membership of the Overview and Scrutiny Committee and Performance and Finance Sub-Committee
- d. arrangements for payment of special responsibility allowances
- e. chairing arrangements for the Overview and Scrutiny Committee and Performance and Finance Sub-Committee
- f. programme of meetings of Overview and Scrutiny Committee and Performance and Finance Sub-Committee
- g. confirmation of co-option arrangements;

(5) agree the arrangements for finalising the work of the existing Committees and interim arrangements until the new system was able to go live, as outlined in paragraph 3.15 of the officer report;

(6) review the impact of the configuration in a year's time.

131. **Scrutiny Annual Report 2006 - 07:**
(See Recommendation I).

(Note: The meeting, having commenced at 7.30 pm, closed at 10.35 pm).

(Signed) COUNCILLOR JEAN LAMMIMAN
Chairman

SCRUTINY
SUB-COMMITTEES

**CHILDREN AND YOUNG PEOPLE SCRUTINY
SUB-COMMITTEE****17 APRIL 2007**

Chairman:	* Councillor Mark Versallion	
Councillors:	* B E Gate * Jean Lammiman * Julia Merison * Salim Miah * Narinder Singh Mudhar	* Joyce Nickolay (4) * David Perry * Dinesh Solanki * Mrs Sasi Suresh (3) * Jeremy Zeid
Voting Co-opted:	(Voluntary Aided)	(Parent Governors)
	† Mrs J Rammelt † Reverend P Reece	* Mr R Chauhan * Mrs D Speel

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

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES****60. 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 Yogesh Teli Councillor Mitzi Green	Councillor Joyce Nickolay Councillor Mrs Sasi Suresh

61. Declarations of Interest:

RESOLVED: To note that the following interests were declared:

<u>Member</u>	<u>Nature of Interest</u>
Councillor B E Gate	The Member declared personal interests in that his wife was a nursing practitioner dealing with patients who were school children, and he had been appointed as a Local Education Authority (LEA) Governor to an LEA Nursery. Accordingly the Member would remain in the room and take part in the discussion and decision-making on all items of the agenda.
Councillor Julia Merison	The Member declared personal interests in that she had a nephew with Special Educational Needs and her husband was undergoing treatment at Northwick Park Hospital. Accordingly the Member would remain in the room and take part in the decision-making on all items of the agenda.
Councillor Dinesh Solanki	The Member declared a personal interest in that he had a visually impaired daughter attending a Middle School in Harrow. Accordingly the Member would remain in the room and take part in the discussion and decision-making on all items of the agenda.
Councillor Narinder Singh Mudhar	The Member declared a personal interest in that he had recently been appointed as a Governor of Harrow High School.
Mrs D Speel	The Co-opted Member declared a personal interest in that a member of her family was on the SEN list. Accordingly the Co-opted Member

would remain in the room and take part in the discussion and decision-making on all items of the agenda.

62. **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>
9. PCT Response to School Nursing and recommendations, including the draft service specification.	This report was not available at the time the agenda was printed and circulated, as the time required to ensure inter-agency participation had been longer than expected. Members were requested to consider this item, as a matter of urgency.

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

63. **Minutes:**

RESOLVED: That (1) the minutes of the Special meeting held on 9 January 2007 be taken as read and signed as a correct record, subject to the following amendment:

Minute 37 - Question and Answer Session with the Portfolio Holder for People First Children's Services and the Portfolio Holder for Legal Services and Issues Facing Young People (Question 1)

- Free fruit was available in Reception and Years 1 and 2, but not Year 3.

(2) the minutes of the meeting held on 13 February 2007 be taken as read and signed as a correct record.

64. **Public Questions:**

RESOLVED: To note that no public questions were put at the meeting under the provisions of Overview and Scrutiny Procedure Rule 8 (Part 4F of the Council's Constitution).

65. **Petitions:**

RESOLVED: To note that no petitions were received at the meeting under the provisions of Overview and Scrutiny Procedure Rule 9 (Part 4F of the Council's Constitution).

66. **Deputations:**

RESOLVED: To note that no deputations were received at the meeting under the provisions of Overview and Scrutiny Procedure Rule 10 (Part 4F of the Council's Constitution).

67. **Primary Care Trust (PCT) Response to School Nursing Challenge Panel and Recommendations, including the Draft Service Specification:**

The Sub-Committee received a report of the Harrow PCT Commissioner on the PCT's response to recommendations by the Challenge Panel on School Nursing. Angie Woods, PCT Commissioner, accompanied by Jane Thomas, Public Health Specialist, were in attendance at the meeting for this item.

The Commissioner took Members through the PCT's draft written response and the draft service specification, answering Members' questions. A tendering process was proposed and endorsement was sought from the Sub-Committee and other stakeholders. Part of the process would be to set up a panel to decide on the best possible provider of the service. The Commissioner believed that undergoing a robust tendering process would bring clarity to the service specification in which inter-agency working was vital.

In response to questions and comments from Members, the Commissioner agreed to provide:

- Information on training in first aid.

- A 'day in the life' of a school nurse.

In response to a Member's concern about the use to which data might be put, the Commissioner outlined the Caldicott data protection rules which, among other things, set out procedures guarding against the sharing of irrelevant information. Confidential information could be shared only if there was a child protection issue. The Commissioner offered to be available to provide further information outside the Sub-Committee meeting, should individual Members wish to contact her.

Asked about the link between the School Nursing Service and General Practitioners (GPs), the Commissioner explained that the two were linked in three ways:

- strategically, Harrow-wide
- in the day-to-day running - school nurses would be linked with schools and GP clusters
- professionally – through the GPs and the practice nurses.

The Commissioner noted the comments made by Members and the Chairman and thanked the Commissioner and her colleague, as well as the Chairman of the Challenge Panel and everyone else who had contributed to the work of the Challenge Panel.

The Sub-Committee endorsed the draft service specification and the tendering process.

RESOLVED: That the report be noted.

68. **Every Child Matters – Achieving Economic Well Being:**

The Sub-Committee considered a report of the Director of Children's Services which set out the current position with regard to the Every Child Matters outcome – Achieving Economic Well-Being. The officer reported significant strengths in this area, with a 2010 target of 100% of 16 to 18-year olds in education or work-related training.

The Harrow Sixth Form Collegiate had been successful in bidding for the vocational pilot scheme. The Skills Centre had been very successful and was expanding to offer more places. Harrow Collegiate had also gained £24.8m funding for sixth forms and two specialist centres. Members congratulated the officers and schools involved.

RESOLVED: That the report be noted.

69. **Joint Area Review Outcomes and Action Plan:**

Members received a report of the Director of Children's Services on outcomes of the Joint Area Review (JAR) and the proposed Action Plan agreed by the Children and Young People's Strategic Partnership. The officer reported that the Local Authority was content with the JAR report. At the draft report stage officers had submitted many challenges and these had been accepted in the main. The JAR would help the Authority to move forward and recommendations would be implemented. The proposed Action Plan was a broad strategic plan which covered the sub-text of the report, as well as the formal recommendations. A time-line would be added at a later stage.

The officer recommended the inclusion of the Action Plan as a standing item on the agenda of the relevant Scrutiny Sub-Committee.

Officers had already given positive feedback to the JAR on how helpful the review experience had been. The Sub-Committee asked the officer to communicate to JAR its own positive response.

RESOLVED: That (1) the report be noted;

(2) this item be considered annually by the Sub-Committee or other appropriate committee.

70. **Children and Young People's Plan:**

The Sub-Committee received a report of the Director of Children's Services which informed Members of the process by which the Children and Young People's Plan had been reviewed and refreshed. The officer explained that the three-year plan was reviewed and refreshed annually. The JAR had informed the review and the proposed JAR Action Plan meshed closely with the refresh.

In response to Members' questions, the officer stated that issue of bullying was a major part of the Children and Young People's Plan, available on the Council's website. It was important to distinguish between, for example, gang culture and bullying. It was also worth noting that young people in Harrow had expressed the view that they felt safe in general in an online survey which all Year 6, 8 and 10 pupils in Harrow schools were requested to complete. The Director of Children's Services and officers talked regularly to the police about issues affecting young people.

A Member reported on a young people's 'empower' event she had attended and found very salutary. The officer agreed to alert Members to any similar events that might provide an opportunity of insight into young people's lives.

RESOLVED: That the report be noted.

71. **Teachers' Centre - Transfer of Responsibility:**

The Sub-Committee considered a report of the Director of Children's Services which set out the arrangements for the transfer of responsibility of the Teachers' Centre. The officer reported that the Centre had been handed over from Lifelong Learning Services to Children's Services Achievement and Inclusion Group on 30 March 2007. The transfer would bring benefits of economies of scale and it was planned that the Centre would become part of a Learning Trust, contributing to education in Harrow.

In answer to a question about the financial viability of the Centre, the officer reported that Children's Services were the biggest users, but that training would be re-tailored to deal with the changing needs of schools. Asked about sporting events held at the Centre, the officer said that these would be run by outside organisations. Community groups would be encouraged to use the facilities, which could be booked on the internet. The Centre was also a popular wedding venue. Any profit made would be invested in education in line with the idea of a Learning Trust.

RESOLVED: That the report be noted.

72. **Scrutiny Annual Report:**

The Sub-Committee received a report of the Director of People, Performance and Policy on the draft wording of the Children and Young People Sub-Committee section of the Scrutiny Annual Report.

RESOLVED: That the wording of the Children and Young People Sub-Committee section of the Scrutiny Annual Report, as set out in Appendix 1 to the report of the Director of People, Performance and Policy, be agreed.

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

(Signed) COUNCILLOR MARK VERSALLION
Chairman

**ADULT HEALTH AND SOCIAL CARE SCRUTINY
SUB-COMMITTEE****18 APRIL 2007**

Chairman: Councillor Myra Michael

Councillors:	* Mrs Margaret Davine	* Salim Miah (4)
	* David Gawn	* Mrs Rekha Shah (Vice-Chairman)
	* Ashok Kulkarni (2)	(in the Chair)
	* Julia Merison	* Dinesh Solanki (3)

Advisers (non-voting):	Jean Bradlow
	* Owen Cock

* Denotes Member present
(2), (3) and (4) Denote category of Reserve Member

[Note: Councillors Miss Christine Bednell, Janet Mote and Eric Silver also attended this meeting to speak on the item indicated at Minute 84 below].

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**75. **Attendance by Reserve Members:**

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

Ordinary Member

Councillor Myra Michael
Councillor Vina Mithani
Councillor Joyce Nickolay

Reserve Member

Councillor Dinesh Solanki
Councillor Ashok Kulkarni
Councillor Salim Miah

76. **Declarations of Interest:**

RESOLVED: To note that the following interests were declared:

Member

Councillor Margaret Davine

Nature of Interest

Declared a personal interest in that a relative was receiving Meals on Wheels. She would remain in the room whilst this matter was considered and voted upon.

Councillor Julia Merison

Declared a personal interest in that her husband was receiving treatment at Northwick Park Hospital, and that a family member was in receipt of mental health services. She would remain in the room whilst this matter was considered and voted upon.

77. **Arrangement of Agenda:**

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

78. **Minutes:**

RESOLVED: That the minutes of the meeting held on 20 March 2007 be deferred until printed in the Council Bound Minute Volume.

79. **Public Questions:**

RESOLVED: That the following questions be received under the provisions of Overview and Scrutiny Procedure Rule 8:

1.

Questioner: Joan Penrose

Asked of: Councillor Myra Michael (Chairman of the Adult Health and Social Care Scrutiny Sub-Committee)

Question: Harrow Council states that Wiseworks is continuing to operate as before. Why then are trading opportunities being turned down by Wiseworks, and under whose instructions is this happening?

2.

Questioner: Ann Freeman

Asked of: Councillor Myra Michael (Chairman of the Adult Health and Social Care Scrutiny Sub-Committee)

Question: Can a statement be made confirming changes to Wiseworks Enterprises over the last year, as reported at the meeting with service user and carer representatives and the Acting Chief Executive and Director of Adult Social Care on 11th April, so that Councillors, Officers, Service Users, Carers, Harrow Mental Health Services, the statutory sector including Harrow Primary Care Trust and the public in Harrow can interpret the statement "Wiseworks is continuing to trade" and "The Cabinet decision (of 18 January 2007) has been enacted" in the same way ?

It is confusing that Wiseworks Enterprises' working practices are continuing to be changed, with work being turned away, including a contract, valued at £25,000, from Central and North West London Mental Health Trust in March 2007, despite CNWL describing Wiseworks as "one of the Trust's training for work projects" and stating that it valued "supporting service user training and vocational development".

[Notes: (i) The Chairman noted that Joan Penrose was unable to attend, and so permitted Patrick Stoup to submit the question on her behalf;

(ii) in accordance with Overview and Scrutiny Procedure Rule 8.3 the Chairman nominated the Portfolio Holder for Adult Community Care Services and Issues Facing People with Special Needs to provide an oral response to the above questions;

(iii) both questioners asked supplemental questions, which were answered].

80. **Petitions:**

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

81. **Deputations:**

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

82. **Northwick Park Hospital - Maternity Services Update:**

The Sub-Committee received an update from the Chief Executive, North West London Hospitals, and the Director of Nursing, Northwick Park Hospital, concerning the Maternity Services Unit at Northwick Park Hospital.

The Sub-Committee was informed that the Trust had completed the specific actions set out for it in the Action Plan, and that Special Measures had been lifted in September 2006. The Trust was recruiting two additional Obstetricians to meet the remaining standard. In addition, a Maternity Action Plan Board met on a monthly basis to monitor key performance indicators.

The Chief Executive stated that the Trust had recently appointed a Consultant Obstetrician, and that a recent recruitment campaign for midwives had reduced vacancies to 20 across the Trust, a vacancy rate which was lower than the London average. Funding for appointments to these posts was being considered.

The Director of Nursing added that the Nursing and Midwifery Council had recommended that students be allowed to return to the Unit, and that there had been a reduction of 32% in the number of complaints received in 2006/07 when compared to 2005/06.

On opening the item to questions, the Sub-Committee heard that of those complaints referred on to the Health Care Commission, no independent reviews had been instigated. In addition, training had been undertaken with staff which included working relationships within the Unit, and relevant training on leadership skills and customer care skills had been provided. The Chief Executive stated that challenges remained, particularly considering the diversity of residents in the Borough and their corresponding cultural expectations.

In response to a question from a Member, the Director of Nursing stated that the Hospital was looking into ways of ensuring that all visitors, patients and staff took appropriate precautions to prevent the spread of infections, such as the use of disinfectant hand-gels.

RESOLVED: That the report be noted.

83. **CSCI Record of Performance Assessment and Star Rating Letters: Published Tables of the Personal Social Services Performance Assessment (PAF) Indicators:**

The Sub-Committee received a report of the Director of Adult Community Care Services, which outlined the outcome of the Annual Performance Rating for Adult Social Services, published by the Commission for Social Care Inspectorate (CSCI) on 30 November 2006.

The Sub-Committee heard that Adult Social Services in the Borough had achieved a rating of 1 star, or Level 2 for CPA purposes, and was serving some residents well, although there were uncertain prospects for improvement.

The Director explained that, in spite of the Council's recent financial difficulties, the latest scorecard as of January 2007 indicated that recent improvements to Adult Social Services had been maintained, with no signs of deterioration. However, the Council's financial position was an obstacle to better prospects for improvement.

On opening the item to questions, the Sub-Committee heard that the main issues for Adult Social Services centred on capacity, and the need to invest to attain improvements. However, the Director for Adult Community Care stated that every team involved with the services had a performance plan and identified lead officers for targets.

RESOLVED: That the report be noted.

84. **Question and Answer Session with Portfolio Holders:**

The Portfolio Holders for Adult Community Care Services and Issues Facing People with Special Needs, Lifelong Learning, Cultural Services and Issues Facing Older People, and People First - Children's Services were in attendance to answer questions from the Sub-Committee.

The following questions were addressed:

Question 1: *How do the portfolio holders view the co-operation between Harrow PCT, North West London Hospitals Trust and the Council? How are working relationships especially given each organisation's financial difficulties?*

The Portfolio Holder for People First – Children's Services confirmed that officers from the Council and Harrow PCT continued to have regular dialogue about matters of shared interest, with joint work in both adult and children's areas. The Portfolio Holder added that work had been jointly commissioned by Adults and Children Council services and the PCT for an independent review of the Joint Commissioning Service.

The Portfolio Holder for Adult Community Care Services and Issues Facing People with Special Needs stated that the Council remained committed to joint working with North West London Hospital Trust (NWLHT) for adults in the provision of intermediate care services and through the Hospital Social work service at Northwick Park Hospital. He added that national pressures to divert increasing number of patients away from Hospitals was creating pressures for all Local Authorities.

The Portfolio Holder for Lifelong Learning, Cultural Services and Issues facing Older People stated that both the Council and Harrow PCT were aware of their respective financial pressures, but that it was important that a joint working relationship was maintained.

Question 2: *With regards to the difference between critical and essential care and the change to payments for continuing care, what percentage of people now find their*

circumstances changed? What is now the percentage of people who will not be included under 'continuing care' criteria? What level of complaints has there been for service users with regard to the recent changes?

The Portfolio Holder for Adult Community Care Services responded that complaints relating to individuals no longer eligible for continuing care would not come to the Council as the Council was not able to challenge the decision. Instead, complaints would be presented to the Primary Care Trust and addressed through the appeals process, which might conclude with a stage 3 Strategic Health Authority (SHA) review panel.

The Portfolio Holder indicated that there had been an escalating trend for people previously eligible for Continuing Care funding no longer qualifying, with an average of approximately 10 people per month between November 2006 and March 2007. Harrow PCT and the Council were in dispute over some of these cases, and some more recent cases were subject to the appeals process.

Question 3: *How many stakeholders/service users have been visited/contacted to ascertain the impact of the changes?*

The Portfolio Holder for Adult Community Care Services and Issues Facing People with Special Needs responded that any service user reviewed under the NHS continuing care criteria and determined as no longer being eligible for free NHS continuing care criteria was reassessed by the Council to determine eligibility for Local Authority support.

The Sub-Committee heard that a number of people who were no longer eligible for care had experienced changes to their care arrangements, as Local Authority care may levy charges. In addition, the Authority could not act outside its remit in delivering health care other than that defined as 'ancillary or incidental' to the provision of social care.

Question 4: *Regarding the single assessment for continuing care, how much co-operation is there between the NHS and the Council? Should there be more joined up work around assessments? How well do PCT nurses and the Council's social workers communicate regarding clients' care?*

The Portfolio Holder for Adult Community Care Services and Issues facing People with Special Needs responded that a single assessment framework existed between the Council and the PCT, whereby common information was collected by the Council's partners and shared, provided that individual service users gave consent.

However, the Sub-Committee heard that eligibility to receive services was a single organisation responsibility, and that in the case of continuing care, this was a clinical decision. The PCT had to write to individual patients to advise them of the outcome of their eligibility, a copy of which was forwarded to the local authority. Where patients had continuing healthcare needs short of 24 hour care, an indication of how these needs would be met was included in this letter. A protocol had also been agreed with time limits for the Local Authority to conduct determination of eligibility for social care, which involved liaison with community nursing services if required.

The Portfolio Holder for Lifelong Learning, Cultural Services and Issues Facing Older People commented that there needed to be a clear allocation of responsibilities in this regard. To this, the Director of Adult Community Care Services stated that organisations were working towards definitions of terms which might help in this regard.

Question 5: *The PCT considered its continuing care policy at its last board meeting. As there has been a push for a standardised process, how much liaison has there been with the Council to develop this?*

The Portfolio Holder for Adult Community Care Services and Issues facing People with Special Needs responded that formally, all North West London PCT's operated the jointly agreed North West London Continuing Care policy which was subject to consultation with relevant Councils.

In addition, the Portfolio Holder commented that there was a new nationally drafted revised policy which would provide a common framework, and which had been the subject of widespread consultation, to which Harrow had also contributed.

The Director of Adult Community Care commented that there was some concern that the PCT may have made changes to the existing joint policy, without consulting the Council. This matter was being pursued through formal correspondence.

Question 6: *How much money is owed from Harrow PCT to the Council from previous years? What is the current financial position with regard to outstanding invoices in particular?*

The Portfolio Holder for Adult Community Care Services and Issues facing People with Special Needs stated that the amount outstanding in relation to the 2005/06 financial year and previous years was £1.975 million, of which £1.713 million was disputed. As part of the closure of the Council's accounts this amount was to be reviewed.

Invoices relating to the financial year 2006/07 totalled £5.4 million, with no invoices in dispute. However, there were concerns about prompt receipt of payment to assist the Council's cashflow.

Question 7: *What action has been taken by the Council to recover the debt? What procedures are being undertaken by the finance department to ensure that this situation is avoided in the future?*

The Portfolio Holder for Adult Community Care Services and Issues facing People with Special Needs responded that finance officers continued to meet regularly with the PCT in an effort to resolve outstanding queries and to chase payment. Joint working groups had been set up to agree funding with the PCT for future years, which were being translated into formal letters or memorandum of agreements, and where possible, to apply such agreements to retrospective claims.

The Director of Adult Community Care Services added that where invoices were disputed, there was an emphasis on resolving the matter outside of legal mechanisms.

Question 8: *Councillors have received a number of complaints about the cleanliness at Northwick Park Hospital and especially the poor cleaning standards in the patients' toilets. Is the Portfolio Holder aware of the figures relating to healthcare acquired infections at the Hospital? Can the Council have any input in how the cleanliness of the wards is monitored?*

The Portfolio Holder for Adult Community Care Services and Issues facing People with Special Needs responded that, through the work of the Scrutiny Committees in particular, the detail of the rate of healthcare acquired infections was now in the public domain for each of the NHS trusts in Harrow.

The Sub-Committee heard that cleanliness in wards was a matter that the NHS and its performance monitoring framework was charged with overseeing. The Portfolio Holder stated that the Council was not in apposition to directly intervene, but that through existing partnership boards and groups the Council could ask that rates of health acquired infections for each of the NHS partners be considered as part of core performance reporting. It was added that the Sub-Committee might have a role in this regard, in asking the local community what precautions they would like to see implemented.

85. **Overview and Scrutiny Committee Annual Report:**

The Sub-Committee received a report of the Director of People, Performance and Policy, which set out the draft of the Sub-Committee's section of the Overview and Scrutiny Committee's annual report to Council.

An officer explained that the draft section detailed the Sub-Committee's work over the Municipal Year, and asked the Sub-Committee for its comments. On discussing the draft, the Sub-Committee agreed that the draft was an accurate reflection of its work.

RESOLVED: That the draft section be approved for inclusion in the Overview and Scrutiny Committee's annual report.

86. **Any Other Business:**

(i) **Vote of Thanks**

The Chairman thanked officers from the NHS Trusts who had attended meetings of the Sub-Committee and contributed to its work in the current Municipal Year. Thanks were also offered to the advisers to the Sub-Committee, the Committee Administrator, and the Scrutiny Officer.

RESOLVED: That the above be noted.

- (ii) Scrutiny Obesity Review Group
The Chairman informed the Committee that the first meeting of the Scrutiny Obesity Review Group would be held on Monday 9 May 2007 in Committee Room 3 at the Civic Centre.

RESOLVED: That the above be noted.

(Note: The meeting having commenced at 7.33 pm, closed at 9.45 pm)

(Signed) COUNCILLOR REKHA SHAH
Vice-Chairman (in the Chair)

COUNCIL



**MINUTES
of the
MEETING
of the
COUNCIL
of the
LONDON BOROUGH OF HARROW
held on
THURSDAY 26 APRIL 2007**

Present: **The Worshipful the Mayor (Councillor Janet Cowan)
The Deputy Mayor (Councillor Jean Lammiman)**

Councillors:

Nana Asante
David Ashton
Mrs Marilyn Ashton
Mrs Camilla Bath
Miss Christine A. Bednell
Don Billson
Mrs Lurline Champagne
Mrinal Choudhury
Golam Sobhan Chowdhury
John Cowan
Bob Currie
Margaret Davine
Mano Dharmarajah
Anthony Ferrari
Keith Ferry
Brian E. Gate
David Gawn
Mitzi Green
Susan Hall

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

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

123. OPENING PROCEEDINGS:**MRS GERRY FOULDS**

The Mayor informed Council of the sad news that Councillor Foulds' wife, Gerry Foulds, had passed away.

PRAYERS

The Mayor's Chaplain, Rabbi Andrew Shaw, then led the meeting in prayers.

124. COUNCIL MINUTES:**RESOLVED:**

THAT THE MINUTES OF THE COUNCIL (COUNCIL TAX) MEETING HELD ON 22 FEBRUARY 2007 BE TAKEN AS READ AND SIGNED AS A CORRECT RECORD.

125. DECLARATIONS OF INTEREST:

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

126. COUNCILLOR DAVID PERRY:

Prior to consideration of the tabled report on her engagements, the Mayor, on behalf of Council, congratulated Councillor David Perry on having completed the London Marathon on 22 April 2007.

Having been invited to speak, Councillor Perry expressed his gratitude to all those who had sponsored him and to the Mayor for her support, and reported that he had raised approximately £3,000 for MacMillan Cancer Support.

127. CHIEF EXECUTIVE:

The Mayor welcomed Michael Lockwood, the new Chief Executive, to the Council on this, the occasion of the first Council meeting since he formally commenced in post.

On behalf of the Council, the Mayor also extended thanks to Jill Rothwell and Andrew Trehern for serving as Acting Chief Executive during the interregnum.

128. MAYOR'S ANNOUNCEMENTS:**RESOLVED:**

THAT THE COUNCIL RECEIVE AND NOTE THE REPORT OF THE WORSHIPFUL THE MAYOR, AS TABLED, UPON HER OFFICIAL DUTIES, TOGETHER WITH THE OCCASIONS ON WHICH SHE HAD BEEN REPRESENTED BY THE DEPUTY MAYOR, THE HONORARY ALDERMAN AND PAST MAYORS, SINCE THE LAST COUNCIL MEETING.

129. PROCEDURAL MOTIONS:

(i) Council received notice in the tabled documentation of an Urgent Motion requested to be admitted to the business to be transacted at this meeting, relating to the Local Government White Paper. However, Councillor Chris Mote indicated at the meeting that it was no longer proposed to seek to admit the Urgent Motion, and that it was withdrawn.

(ii) Further to the Motion at Item 12(2) having been indicated as standing referred to the Strategic Planning Committee and the Development Management Committee, being a matter within their delegated powers, and the Motion at Item 12(3) having been indicated as standing referred to the Cabinet, being a matter within its delegated powers, Councillor Bill Stephenson moved a procedural motion under Rule 15.6 that these referrals should not apply and the Motions should rather be considered at this meeting.

Upon a vote, the procedural motion was not carried.

(iii) Further to amendments to the Motion at Item 12(1) having been received from both the Conservative Group and the Liberal Democrat Group, Councillor Chris

Mote moved a procedural motion under Rule 26.1 that the rules of debate be varied for the purposes of that Item, in order that the substantive Motion and all the amendments be debated jointly.

The proposal received the general assent of the Council.

RESOLVED:

THAT (1) IT BE NOTED THAT THE URGENT MOTION SET OUT IN THE TABLED DOCUMENTATION WAS WITHDRAWN;

(2) THE PROCEDURAL MOTION UNDER RULE 15.6, SEEKING THE CONSIDERATION AT THIS COUNCIL MEETING OF THE MOTIONS AT ITEMS 12(2) AND 12(3) OF THE SUMMONS, BE NOT AGREED; AND

(3) THE PARTIAL SUSPENSION OF THE RULES OF DEBATE BE AGREED FOR THE PURPOSES OF THE DEBATE ON ITEM 12(1).

(See also Resolutions 138 and 139 below).

130. PETITIONS:

No petitions were submitted to this meeting under Rule 11.

131. PUBLIC QUESTIONS:

No questions had been submitted by members of the public under Rule 12.3.

132. LOCAL DEVELOPMENT FRAMEWORK - PREPARATION OF A JOINT WASTE DEVELOPMENT PLAN DOCUMENT (DPD):

Further to Item 7 on the Summons, the Leader of the Council, Councillor Chris Mote moved Recommendation I of the Cabinet meeting of 15 March 2007 in this matter.

RESOLVED:

THAT (1) THE COUNCIL PARTICIPATE IN THE PRODUCTION OF A JOINT WASTE DEVELOPMENT PLAN DOCUMENT (DPD) FOR WEST LONDON;

(2) THE TIMETABLE FOR PRODUCTION OF THE JOINT WASTE DPD BE INCLUDED IN THE UPDATED LOCAL DEVELOPMENT SCHEME;

(3) MEMBERSHIP OF THE STEERING GROUP BE DELEGATED TO THE DIRECTOR OF PLANNING SERVICES (OR HIS NOMINATED REPRESENTATIVE);

(4) THE DIRECTOR OF PLANNING SERVICES BE AUTHORISED TO ENTER INTO THE SERVICE LEVEL AGREEMENT TO BE AGREED; AND

(5) THE PORTFOLIO HOLDER FOR PLANNING, DEVELOPMENT AND ENTERPRISE BE NOMINATED TO REPRESENT THE COUNCIL.

133. PROTOCOL FOR DEALING WITH COMPLAINTS:

The Vice-Chairman of the Standards Committee, Councillor Joyce Nickolay, moved Recommendation I of the Standards Committee meeting of 26 March 2007 in the above matter.

RESOLVED:

THAT THE REVISED PROTOCOL FOR DEALING WITH COMPLAINTS, AS AMENDED BY THE STANDARDS COMMITTEE, BE ADOPTED.

134. SCRUTINY ANNUAL REPORT 2006-07:

Recommendation I of the Overview and Scrutiny Committee meeting on 24 April 2007, together with the Scrutiny Annual Report for 2006-07 (as amended at the Overview and Scrutiny Committee meeting), had been circulated in the tabled documentation for the meeting.

The Recommendation was adopted as printed.

RESOLVED:**THAT THE COMMITTEE'S ANNUAL REPORT FOR 2006-07 BE NOTED.****135. RECOGNITION OF LONG SERVICE: COUNCILLOR ROMAIN:**

Council received a report of the Director of Legal and Governance Services, which set out a proposal for a long-service award for Councillor Richard Romain.

The Council on 18 July 1985 (Resolution 192) had agreed that the completion of 25 years' service on the part of Members of Council should be recognised by awarding a framed, illuminated copy resolution of appreciation.

Councillor Romain would attain 25 years' service in May 2007.

The proposal was agreed.

RESOLVED:**THAT THE FOLLOWING FORMAL RESOLUTION BE ADOPTED:****Councillor Richard Romain: Recognition of Long Service**

"The Council of the London Borough of Harrow do hereby record their appreciation of the twenty-five years' service by Councillor Richard Romain to the London Borough of Harrow.

Councillor Richard Romain was first elected in May 1982 as Councillor for the Stanmore South Ward, which he represented for the first 4 years. He was re-elected in May 1986 for the Canons Ward, which he has represented continuously until the present time. He is currently serving his seventh consecutive period in office. Councillor Romain was Leader of the Conservative Group from 1994 to 1996.

Councillor Romain has served on various Council Committees, including the Education Committee and the Development Control Committee. However, his particular interest has been with environmental issues, giving rise to extended service on the General Purposes Services Committee and subsequently the Environment Services Committee. In that time he variously held the offices of Chair of the Environment Services Committee, Vice-Chair of the General Purposes Services Committee and Chair of the Traffic and Transport Sub-Committee. He was the Chairman of the Anne Frank Committee, from 1988 to 1989, and was successful in bringing the Anne Frank Exhibition to Harrow in 1989. Councillor Romain first served on the Policy and Resources Committee in 1988/9, commencing a period of continuous service over the next ten years on that Committee in its various strategic guises, and additionally on the Resources Committee when this operated as a separate entity. When these arrangements were overtaken by the restructuring under the Local Government Act 2000, Councillor Romain served as a member of the first Cabinets between 2000 and 2003. Councillor Romain has also served on the Audit Committee and the Overview and Scrutiny Committee. Councillor Romain has represented the Council on numerous outside bodies including 12 years on the West London Waste Authority, serving as Chairman from 1991 to 1996, Brent and Harrow Trading Standards Service, the London Home and Water Safety Council and Age Concern Greater London.

In recognition of his completion in May 2007 of twenty-five years of public service to Harrow, this Resolution be engrossed on vellum and publicly presented to Councillor Romain by the Mayor, at the Annual Council Meeting in May 2007."

136. QUESTIONS WITH NOTICE (RULE 13):

The following two questions had been submitted by Members of Council in accordance with Rule 13.2:

<u>QUESTION BY</u>	<u>QUESTION OF</u>	<u>TEXT OF QUESTION</u>
(1) Councillor Bill Stephenson	The Leader of the Council and Portfolio Holder for Strategic Overview, External Affairs and Property (Councillor Chris Mote)	"Headstone Manor Steering Committee has now not met for a whole year and no progress has been made in developing a English Heritage Lottery bid. Would you agree with

our new Chief Executive that maintaining momentum is extremely important and tell us when something is going to be done to develop Headstone Manor?"

- (2) Councillor Bill Stephenson The Leader of the Council and Portfolio Holder for Strategic Overview, External Affairs and Property (Councillor Chris Mote) "Can you tell this Council how many complaints have been made to the Local Government Ombudsman since last May compared with the year starting May 2005 – 2006, and could you further elaborate the main areas of complaint?"

[Note: The above questions were both answered orally and, under the provisions of Rule 13.5, a supplementary to each question was additionally asked and answered].

137. MOTION AT ITEM 12(1): MAYORAL NOMINATIONS:

- (i) Councillor B E Gate moved and Councillor Bill Stephenson seconded the Motion at Item 12(1) of the Summons.
- (ii) In moving the Motion, and with the consent of the meeting, Councillor Gate altered the Motion under Rule 17.7 as follows:

In the first sentence, after "1994 to", to insert the words "1998 and 2002 to"

- (iii) Councillor Chris Mote moved and Councillor Paul Osborn seconded an amendment to the Motion which had been circulated in the tabled documentation. In moving the amendment, however, Councillor Mote indicated his agreement to this matter being referred to a cross-party working group for consideration.
- (vi) In light of an assurance from the Leader of the Council that this matter would be referred to a cross-party working group, the mover and seconder sought leave of the Council to withdraw the Motion under the provisions of Rule 17.8, to which the Council assented.

RESOLVED:

THAT THE MOTION SET OUT AT ITEM 12(1) BE WITHDRAWN.

138. MOTION AT ITEM 12(2): DEVELOPMENT CONTROL:

Further to the provisions of Rule 15.6,

RESOLVED:

THAT THE MOTION AT ITEM 12(2) ON THE SUMMONS STAND REFERRED TO THE NEXT MEETINGS OF THE STRATEGIC PLANNING COMMITTEE AND THE DEVELOPMENT MANAGEMENT COMMITTEE, AS BEING A MATTER WITHIN THEIR POWERS.

(Resolution 129 above also refers).

139. MOTION AT ITEM 12(3): VOLUNTARY SECTOR FUNDING:

Further to the provisions of Rule 15.6,

RESOLVED:

THAT THE MOTION AT ITEM 12(3) OF THE SUMMONS STAND REFERRED TO THE NEXT MEETING OF THE CABINET, AS BEING A MATTER WITHIN ITS DELEGATED POWERS.

(Resolution 129 above also refers).

140. **DECISIONS TAKEN UNDER THE URGENCY PROCEDURE AND USE OF THE SPECIAL URGENCY PROCEDURE:**

The meeting received a report of the Director of Legal and Governance Services which provided a summary of the urgent decisions taken by Portfolio Holders, the Leader and Cabinet, and the use of the special urgency procedure, since the last meeting of Council on 22 February 2007.

RESOLVED:

THAT (1) THE URGENT DECISIONS TAKEN BY THE PORTFOLIO HOLDERS, THE LEADER AND CABINET SINCE THE LAST COUNCIL MEETING, AS NOW REPORTED, BE NOTED;

(2) THE ONE OCCASION ON WHICH THE SPECIAL URGENCY PROCEDURE HAD BEEN USED SINCE THE LAST COUNCIL MEETING BE NOTED.

(CLOSE OF MEETING: All business having been completed, the Mayor declared the meeting closed at 8.06 pm).

THE CABINET,
CABINET ADVISORY PANELS
AND
CONSULTATIVE FORUMS

CABINET

REPORT OF CABINET

MEETING HELD ON 19 APRIL 2007

Chairman: * Councillor Chris Mote

Councillors: * David Ashton * Janet Mote
 * Marilyn Ashton * Paul Osborn
 * Mrs Camilla Bath * Mrs Anjana Patel
 * Miss Christine Bednell * Eric Silver
 * Susan Hall

* Denotes Member present

[Note: Councillors Navin Shah and Bill Stephenson attended this meeting to speak on the item indicated at Minute 220, and Councillor Jerry Miles also attended this meeting to speak on the item indicated at Minute 226].

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

214. **Michael Lockwood - Chief Executive:**
 Michael Lockwood was welcomed to Harrow Council and to his first Cabinet meeting.
215. **Declarations of Interest:**
- RESOLVED:** To note that the following interests were declared:
- (i) Agenda Item 10 – Water Management and Drought Planning
 Councillor Susan Hall declared a prejudicial interest in that she had participated in the Scrutiny Challenge Panel on Water Management and Drought Planning. Accordingly, she left the room whilst the matter was considered and voted upon.
- (ii) Agenda Item 12 – Review of Fees Structure for Special Treatment Licensing
 Councillors Susan Hall and Eric Silver declared prejudicial interests and left the room whilst this matter was considered and voted upon.
- Councillor Chris Mote declared an interest because of his professional interest as an Osteopath. He stated that his interest was personal because, according to his professional body, Osteopathy was not considered to be a Special Treatment under the Regulations. He would remain in the room whilst this matter was considered and voted upon.
216. **Minutes:**
- RESOLVED:** That the minutes of the meeting held on 15 March 2007 be taken as read and signed as a correct record.
217. **Arrangement of Agenda:**
 The Chairman indicated that he would be varying the order of business on the agenda to take Items 13 - Annual Audit and Inspection Letter and 14 - Corporate Assessment after Item 9 - The Harrow Integrated Property Services Partnership.
- RESOLVED:** That all items be considered with the press and public present with the exception of the following item for the reasons set out below:

<u>Item</u>	<u>Reason</u>
18. Harrow's Integrated Property Services Partnership (Appendix B)	The appendix to the report at agenda item 9 contained exempt information as defined in Paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972 (as amended) in that it related to the financial or business affairs of any particular person (including the authority holding that information).

218. **Petitions:**
Councillor Mrs Kinnear presented a petition signed by 25 residents of Cavendish Avenue in relation to noise nuisance on land adjacent to the David Lloyd Centre. She read the terms of the petition to the meeting, which were as follows:-

“We the undersigned as residents of the area of Cavendish Avenue request that the Local Authorities of Harrow and Ealing Council exercise their powers under the Noise Abatement Act to put an end to the use of motor powered bikes in the areas of the land adjacent to the David Lloyd Centre. The level of noise created by these vehicles in evenings and weekends is unbearable and clearly audible within a large area. These vehicles are not registered, i.e. no number plate and are therefore presumably unlicensed and uninsured, and yet appear on the public highway.

We feel strongly that it is the duty of either, or both the Local Authority and Police to ensure that the noise ceases and the danger when used on the highway is removed.”

Councillor Kinnear stated that she had given a copy of the petition to a colleague at Ealing Council and to the local police.

RESOLVED: That the petition be received and referred to the Portfolio Holder for Urban Living – Community Safety and Public Realm for consideration.

219. **Public Questions:**

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

1.

Questioner: Illa Bhuva

Asked of: Councillor Anjana Patel, Portfolio Holder for Community Development

Question: We are a voluntary community organisation, which has been using Vaughan Centre for the last 15 years and providing services to elderly and vulnerable members of the community for whom stability, continuity and reassurance are critical. Why has the Council completely failed to consult us on the proposals for the future of this site and on our short and long-term needs and accommodation requirements?

[Note: An oral answer was provided to the question. Under the provisions of Executive Procedure Rule 16.4, the questioner asked a supplementary question which was duly answered].

220. **Councillor Question Time:**

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

1.

Questioner: Councillor Bill Stephenson

Asked of: Councillor Chris Mote, Leader of the Council and Portfolio Holder for Strategic Overview, External Affairs and Property

Question: In agreeing to outsource all our major and minor works under the Harrow Integrated Property Services Partnership, it is vital that the provider is kept constantly up to scratch. Under this agreement what provision have been made to ensure quality assurance (i) involving officers and (ii) involving Councillors.

2.

Questioner: Councillor Bill Stephenson

Asked of: Councillor Chris Mote, Leader of the Council and Portfolio Holder for Strategic Overview, External Affairs and Property

Question: Under the proposed re-organisation of the Council's workforce, could Councillor Mote please give the following information separately for Tier 1 post (Chief Executive), Tier 2 posts (Executive Director/Corporate Director), Tier 3 posts (Group Manager/Head of Service/Senior Professional):

- a) The total number of posts before and after re-organisation;
- b) The total costs of the posts before and after re-organisation.

Could he also indicate the total expected savings from this re-organisation for both the current financial year and for a full financial year indicating both the estimated capital and revenue costs arising from the Council's redundancy scheme.

3.

Questioner: Councillor Bill Stephenson

Asked of: Councillor David Ashton, Portfolio Holder for Finance and Business Matters

Question: For the last financial year the Council allotted £157,500 for councillors to spend on capital projects of up to £7,500 within each ward. Can Councillor Ashton say how much of this money has actually been spent?

4.

Questioner: Councillor Bill Stephenson

Asked of: Councillor Paul Osborn, Portfolio Holder for Legal Services and Issues Facing Young People

Question: Would Councillor Osborn agree that it is very important to have a fully staffed Communications Department with sufficient capacity to deliver a first class service in this vital area for the Council, and can he give us the (full-time equivalent) number of staff currently employed in this area?

5.

Questioner: Councillor Navin Shah

Asked of: Councillor Eric Silver, Portfolio Holder for Adult Community Care Services and Issues Facing People with Special Needs

Question: What is the current status of consultation with the staff and service users on the provision of specialist meals (kosher, Asian, African Caribbean etc) by the meals on wheels service, and when is it intended to report to Cabinet on this matter?

6.

Questioner: Councillor Navin Shah

Asked of: Councillor Anjana Patel, Portfolio Holder for Community Development

Question: Can Councillor Patel inform us what impact assessments were made arising from 10% cuts in the funding of SLAs with voluntary sector organisations, and if such assessments were made can she provide us with copies of these? In addition can she inform us which Portfolio Holder authorised the sending out of a 'deed of variation' to voluntary sector organisations, which essentially meant that they either had to agree to the cuts or have their SLA terminated?

[Notes: (i) In accordance with Executive Procedure Rule 34.1, the time limit in relation to Councillor Questions, as set out in Executive Procedure Rule 17.1, was waived to enable all of the questions to be put;

(ii) an oral answer was provided to all questions. Under the provisions of Executive Procedure Rule 17.4, the questioners each asked a supplementary question which was also answered;

(iii) in accordance with Executive Procedure Rule 17.3, question 6 was answered by the Leader of the Council].

221. **Forward Plan 1 April 2007 - 31 July 2007:**

RESOLVED: To note the contents of the Forward Plan for the period 1 April – 31 July 2007.

222. **Reports from the Overview and Scrutiny Committee or Sub-Committees:**
(See Minute 226).

223. **Key Decision - The Harrow Integrated Property Services Partnership:**

Cabinet received a report of the Executive Director (Urban Living), which set out the procurement and evaluation process undertaken leading to the recommendation to integrate the full range of the Council's Housing and Corporate property services within one joint project. The recommendation sought approval to enter into a partnering contract with Kier. Members' attention was drawn to appendix B, circulated with the agenda, which was confidential and which gave further details in relation to the proposals.

The Executive Director (Urban Living) introduced the report and congratulated his staff for their outstanding work on this project, which was delivered on time and within budget. The Executive Director highlighted the key points of the report and stated that, if approved, the Council would enter into its third and largest strategic partnership. He reported the objectives of partnering contract, details of which were set out in the report.

Cabinet received a presentation from representatives of Kier, which described the ethos of the company and its pioneering work in partnering contracts. Together with an officer, they responded to questions from Members on diversity, promoting local employment, their work in the construction of schools and Kier's 'added value' programme, which was supported by Cabinet. Members were also informed that a pilot scheme for housing and schools would be run first.

The Portfolio Holder for Lifelong Learning, Cultural Services and Issues Facing Older People welcomed Kier's interest to explore opportunities in the Council's Skills Centre and hoped that this would realise mutual benefits in the future.

In recommending the report, an officer stated that, if approved, the partnering contract with Kier would achieve significant synergies and provide a seamless approach to property management. Importantly, it would provide tenants with a more effective service. He added that clear and realistic performance targets had been set and that the contract would provide Kier with an opportunity of working with a progressive and forward thinking Council.

The Chairman thanked representatives from Kier for their presentation.

RESOLVED: That a partnership contract with Kier be entered into, with a commencement date of 1 July 2007, for the provision of construction minor works, major works, design and related services across the full range of the Council's property assets.

Reasons for Decision: To enable a renewed focus on customers that can be sustained and not repeatedly lost, through the unnecessary break up of successful single project teams. To reduce significantly a charge to revenue and capital budgets. To rationalise the current approach to construction and maintenance building work in Harrow and reduce the level and number of staff interfaces/overlaps with contractors, together with the risks associated with the constant introduction of new companies. To produce cost benefits through the delivery of a more effective service.

224. **Annual Audit and Inspection Letter:**

The Chairman welcomed the Council's Relationship Manager from the Audit Commission and the External Auditor from Deloitte to the meeting.

The Relationship Manager reported that, each year, the Audit Commission made an assessment of each Council's performance and that there had been improvements in Harrow, particularly in housing and benefits areas. She drew attention to the Authority's scorecard and the need to make improvements in key service areas that

were important to local people. She also highlighted the need to improve the financial standing of the Council, which would give an impetus to improvements in other key areas, such as environmental services. The Relationship Manager drew attention to the action required, as set out in the report, and on which the Audit Commission would assess progress. Performance Management underpinned all the areas where improvements were required. She thanked the Director of Financial and Business Strategy and the Director of People, Performance and Policy for a constructive working relationship with the Audit Commission. The Relationship Manager looked forward to working with the Council in meeting its key challenges.

The External Auditor drew Members' attention to those paragraphs of the letter relating to financial management and value for money. He was pleased to see that the accounts were finalised in time and that financial reporting had improved. The External Auditor also highlighted the need for the Council to improve its financial position.

The Chairman/Leader of the Council stated that the Council would take on board the comments made and improve on the challenges. He referred to the Capital Ambition Project from which money had already been secured to support improvement.

In response to suggestions from the Portfolio Holder for Finance and Business Matters, the Relationship Manager and the External Auditor noted the request for more contact with Members. The External Auditor agreed to consider bringing elements of the process forward and highlighted some of the problems associated in doing this. The Portfolio Holder and the External Auditor agreed to liaise further on this matter.

The Chief Executive looked forward to working with the Council's Relationship Manager and the External Auditor in making improvements in the areas required. He highlighted the need for a performance management culture in order to improve the quality of life for residents of Harrow.

RESOLVED: That (1) the recommendations of the Annual Audit and Inspection Letter be noted;

(2) officers incorporate responses to the Inspection Letter in the Council's new improvement programme to be reported to June 2007 Cabinet.

Reason for Decision: The Council was required to report the Annual Audit and Inspection Letter to Cabinet. To allow Members to review the feedback received from external regulators and ensure officers were taking adequate action in response.

225.

Corporate Assessment:

The Council's Relationship Manager highlighted areas for improvement, as set out in the Corporate Assessment Report of the Audit Commission. There was a particular need to improve services for the residents of Harrow thereby improving their quality of life.

The Chairman/Leader of the Council stated that the Council had accepted the Audit Commission's findings and he looked forward to working together to improve the services provided. He referred to a letter received about the Director of Children's Services which congratulated the Council on providing value for money and which showed the Council's ability to respond positively.

The Portfolio Holder for Finance and Business Matters stated that the report was pivotal to the future of the Council and would form the basis of the work required. However, whilst the Council had accepted the findings, it had been disappointed with the quality of the inspection team which appeared to have had limited experience. The tone of the Audit Commission's report was overtly negative and therefore not motivating. In response, the Council's Relationship Manager stated that she was disappointed with the comment made by the Portfolio Holder but assured the Council that the inspection had been robust. She undertook to raise this matter with the Audit Commission and stressed the need for Harrow to focus on moving the organisation forward.

RESOLVED: That (1) the Corporate Assessment final report be noted;

(2) officers develop an improvement plan for agreement at the June 2007 Cabinet meeting.

Reason for Decision: To enable the Council to respond to the improvement recommendations made through the Corporate Assessment.

226. **Water Management and Drought Planning:**

The Cabinet received a report of the Executive Director (Urban Living), which set out the report of the Scrutiny Challenge Panel on Water Management and Drought Planning. The Chairman of the Challenge Panel introduced the report of the Panel and thanked Members and officers for their contributions. He highlighted the key aspects of the report and welcomed Cabinet's support for the recommendations of the Scrutiny Challenge Panel.

In welcoming the report of the Scrutiny Challenge Panel, Cabinet asked that Scrutiny revisit their recommendations in relation to the concept of compulsory metering because of its implications.

The Chairman/Leader asked that scrutiny might want to carry out work on the implications of water metering on vulnerable people. He stated that in the UK it was illegal to cut off water supplies for public health reasons and that, in Australia, facilities existed to reduce water pressure to non-paying households.

The Director of Lifelong Learning and Cultural Services commented that this particular Scrutiny review had been highlighted as an example of best practice at a recent national run by SOLACE (Society for Local Authority Chief Executives).

The Leader of the Council thanked Scrutiny for their work in this area.

RESOLVED: That, subject to the comments in the preamble above, the contents of the report of the Executive Director (Urban Living) be noted and endorsed and that the report be forwarded to Three Valleys Water.

Reason for Decision: To ensure closer partnership working with Three Valleys Water, and to identify service areas which might be at risk.

(See also Minute 215(i)).

227. **Key Decision - Management of the Public Mortuary at Northwick Park Hospital:**

The Portfolio Holder for Urban Living – Community Safety and Public Realm introduced the report, which set out Brent and Harrow Councils' intention to jointly operate and manage the Public Mortuary at Northwick Park Hospital under a 'refreshed' Agreement.

RESOLVED: That (1) Brent and Harrow Councils continue their arrangement whereby Brent Council provide services to Harrow Council under The Local Authorities (Goods and Services) Act 1970, relating to the management of the public mortuary, as set out in the Agreement at the Appendix to the officer report;

(2) the Director of Legal and Governance Services delegate/be authorised to take all necessary steps to seal and complete the Agreement.

Reason for Decision: To ensure provision of a Public Mortuary in Harrow.

228. **Key Decision - Review of Fees Structure for Special Treatment Licensing:**

Cabinet considered a report of the Executive Director (Urban Living), which informed Members of the existing circumstances with regard to Special Treatment Licensing and made proposals to review the fee structure.

RESOLVED: That the new fee structure be implemented from January 2008, as proposed in section 4 of the officer report, subject to a minor amendment to remove Osteopathy and Physiotherapy from the list of special treatments as they no longer fell within regulations.

Reason for Decision: To enable the development of the service to better support Special Treatments' Practitioners and those accessing the treatment provided.

(See also Minute 215(ii)).

229. **Service Reviews:**

The Director of People, Performance and Policy introduced the report, which provided an update on service reviews for 2007/08. The Director outlined the importance of this paper in the context of the comments made by the Council's Relationship Manager from the Audit Commission during the discussion on items elsewhere on the agenda. He emphasised the requirement to produce outputs on the review by Autumn 2007 in order to inform service and budget planning.

The Portfolio Holder for Finance and Business Matters stated that the timings of the reviews were critical and that it was crucial that the process was Member-led/driven.

The Portfolio Holder emphasised the need to submit regular reports to Cabinet outlining the progress made on the reviews and stated that slippage would not be accepted. An amendment was made to the report and it was

RESOLVED: That (1) for clarity, the Children's Health and Social Care Service Area be amended to Health and Social Care for Children;

(2) the outline scopes for each project review be noted;

(3) the service review framework be agreed.

Reason for Decision: To enable the delivery of Phase 1 fundamental service reviews for 2007/08.

230. **Key Decision - Extended Schools Strategy:**

The Portfolio Holder for Lifelong Learning, Cultural Services and Issues facing Older People introduced the report, which set out the background to the development of an Extended Schools Strategy for Harrow and which, if approved, would contribute to the Council's Corporate Priorities. The Portfolio Holder stated that Harrow's successful education system was as a result of the schools co-operating and working together in clusters. The Strategy set out the broader role for schools, providing a range of services for the local community. She mentioned that the DfES' (Department for Education and Skills) standards fund element of funding for this initiative was only confirmed until March 2008 and hoped that funding would be available for future years.

The Portfolio Holder for People First – Children's Services endorsed the comments made above. She informed Cabinet that, as part of the organisational review, it was currently proposed that the responsibility for supporting and developing the Extended Schools Strategy would move to the Children's Services Directorate.

RESOLVED: That the Extended Schools Strategy be approved.

Reason for Decision: To link to the Children's Centre Strategy and contribute to achievement of targets set out in the Harrow Children and Young People's Plan.

231. **Any Other Urgent Business:**

- (i) Strong and Prosperous Communities – The Local Government White Paper
The Leader highlighted the need for the Council to respond to the Local Government White Paper and for all parties to be briefed on the White Paper and to form a view on what was the best way forward for Harrow.

RESOLVED: That the above be noted.

- (ii) St George's Day Celebrations
The Portfolio Holder for Community Development invited Members and officers to join in the celebrations in Pinner on Sunday 22 April 2007.

RESOLVED: That the above be noted.

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

(Signed) COUNCILLOR CHRIS MOTE
Chairman

CABINET
ADVISORY
PANELS

**EDUCATION ADMISSIONS AND AWARDS
ADVISORY PANEL****18 APRIL 2007**

Chairman: * Councillor Mrs Janet Cowan

Councillors: * Mrinal Choudhury * Joyce Nickolay

Advisers: Mr D A Jones
(Vacancy)

* Denotes Member present

PART I - RECOMMENDATIONS**RECOMMENDATION 1 - Admissions to County Schools**

On 18 April 2007, there was 1 child for whom admissions staff could make no reasonable offer of a school place. The Education Admissions and Awards Advisory Panel was requested to authorise the admission of this pupil to a school, where no place existed in the relevant year group.

Resolved to RECOMMEND:

That an offer of admission to a school be made as follows:

<u>Reference</u>	<u>Year Group</u>	<u>Admitting School</u>
H127	10	Bentley Wood

[Note: Case H126 was withdrawn from the agenda as an offer of a place had already been made].

PART II - MINUTES127. **Attendance by Reserve Members:**

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

128. **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.

129. **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>
9. (a) Admissions to County Schools	The application detailed in this report was received after the main agenda was printed and circulated. Members were asked to consider this application, in order to allocate an appropriate place to the applicant.

(2) the items appearing in Part II of the agenda be considered with the Press and Public excluded on the grounds indicated below:

<u>Item</u>	<u>Reason</u>
9. Admissions to County Schools	These items were considered to contain exempt information as defined in Paragraph 1 of Part I of Schedule 12A of the Local Government Act 1972 (as amended) in that they contained information relating to any individual.
9. (a) Admissions to County Schools	

130. **Minutes:**

RESOLVED: That the minutes of the meetings held on 9 and 23 January, 6 February and 6 March 2007 be deferred until printed in the Council Bound Minute Volume.

131. **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).

132. **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).

133. **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).

134. **Dates of Future Meetings:**

RESOLVED: That future meetings of the Panel be held on the following dates:

- 2 May 2007 at 3.00 pm
- 16 May 2007 at 3.00 pm
- 30 May 2007 at 3.00 pm
- 13 June 2007 at 3.00 pm
- 27 June 2007 at 3.00 pm
- 11 July 2007 at 3.00 pm
- 5 September 2007 at 3.00 pm

135. **Admissions to County Schools:**

(See Recommendation 1).

(Note: The meeting having commenced at 5.00 pm, closed at 5.10 pm)

(Signed) COUNCILLOR JANET COWAN
Chairman

CORPORATE PARENTING PANEL

18 APRIL 2007

Chairman: * Councillor Janet Mote

Councillors: * Mrs Margaret Davine * Paul Osborn
* Mitzi Green * Eric Silver
Mrs Myra Michael

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**1. **Appointment of Chairman:**

RESOLVED: To note the appointment of Councillor Janet Mote at the Cabinet meeting on 18 January 2007 as Chairman of the Corporate Parenting Panel for the remainder of the Municipal Year 2006/2007.

2. **Attendance by Reserve Members:**

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

3. **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.

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

RESOLVED: To appoint Councillor Eric Silver as Vice-Chairman of the Corporate Parenting Panel for the remainder of the Municipal Year 2006/2007.

5. **Arrangement of Agenda:**

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

<u>Agenda item</u>	<u>Special Circumstances / Grounds for Urgency</u>
9. Panel Aims and Work Programme – Verbal Update	This item was not included on the main agenda when it was printed and circulated because the item had not been confirmed. Members were requested to consider the aims and work plan of the Panel as a matter of urgency.

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

6. **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).

7. **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).

8. **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).

9. **Panel Membership and Terms of Reference:**

The Chairman welcomed Members and officers to this, the inaugural meeting of the Corporate Parenting Panel. The Panel noted its Terms of Reference, and considered how best to involve looked-after children, foster carers and designated teachers.

Officers suggested contacting:

- Harrow Foster Care Association to invite the nomination of two non-voting members of the Panel
- teachers to invite them to nominate one non-voting member.

The Panel was informed that many of the senior officers' titles listed in the Terms of Reference had changed, with further amendments expected, owing to the Organisational Review. The Chairman asked officers to circulate a revised list to the Panel.

RESOLVED: That (1) the Terms of Reference be noted;

(2) officers seek non-voting representatives of service users, carers and schools, as listed in the Terms of Reference, to attend meetings of the Panel;

(3) officers circulate to Members an up-to-date list of the names and job titles of the senior officers referred to in the Terms of Reference.

10. **Panel Aims and Work Programme:**

The Panel was invited to consider its work programme, and ways of working. To inform the discussion, officers tabled a confidential sample Management Information Activity Report on looked-after children. This contained statistical information relating to looked-after children and highlighted 11 key performance indicators in line with DfES guidance. The document had a traffic-lights system, with red indicating any area of concern. Members found the report very useful, but asked also to see additional information on:

- the proportion of looked-after children placed outside the Borough and a comparison with other boroughs' figures – Members noted that other boroughs' figures were not widely accessible;
- the number of children with an allocated social worker;
- any useful predictions such as a forecast of the number of adoptions;
- brief anonymised circumstances around specific cases as identified by the Panel;
- GCSE results as soon as they were available, without waiting for validated results – Members noted that there was already a view about the predicted performance of the cohort.

Following discussion, the Panel agreed that it would be useful to have information for a given month, the previous month, the last year, the Outer London average and the projected performance target. Members noted that some key performance indicators were not available on a monthly basis, e.g. GCSE results and school attendance figures.

The Panel also requested a programme of visits to homes of looked-after children, initially by Members of the Panel, with a view to possibly extending this to Councillors outside the Panel in order to highlight the issues covered by the Panel and of children in care. It was noted that sensitivity was required when visiting homes, as these were the children's homes.

The Chairman presented information produced by the London Borough of Barnet and suggested:

- looking at how the London Borough of Barnet had managed to increase the GCSE performance of looked-after children with a view to adopting the good practice;
- inviting a speaker from Barnet to come to talk to the Panel.

The work plan needed to identify the best way forward and how best to receive input from other officers and agencies. Members agreed to intersperse formal meetings with informal meetings.

Members agreed to hold the Panel meetings in the evening, as this was preferable for all Panel attendees and made it more attractive to guest speakers.

The issue of how to promote the work of this Panel would be discussed at a future meeting.

Officers agreed to draw up a list of:

- officers who wished to contribute to the work of the Panel;
- officers and organisations that would want to receive the Panel's support and endorsement for their work.

RESOLVED: That the above be noted.

(Note: The meeting having commenced at 6.05 pm, closed at 7.00 pm)

(Signed) COUNCILLOR JANET MOTE
Chairman

**LOCAL DEVELOPMENT FRAMEWORK PANEL
SPECIAL****24 APRIL 2007**

Chairman: * Councillor Marilyn Ashton

Councillors: * G Chowdhury (2) * Narinder Singh Mudhar (1)
* Keith Ferry * Joyce Nickolay
* Thaya Idaikkadar * Raj Ray (3)

* Denotes Member present
(1), (2) and (3) Denote category of Reserve Member

[Note: Councillor Mrs Kinnear also attended this meeting to speak on the items indicated at Minute 37 below].

PART I - RECOMMENDATIONS**RECOMMENDATION 1 - Roxeth Hill Conservation Area Character Appraisal and Management Strategy**

The Panel received a report of the Director of Planning, which included, as appendices, a draft character appraisal and management strategy for Roxeth Hill Conservation Area.

Officers advised that the main features of the report were proposals for public consultation regarding a proposed reduction in the size of the Conservation Area, a new Article 4 Direction and new locally listed buildings.

Some Members did not support the proposal to remove Ashbourne Avenue from the Conservation Area, particularly in view of the proposal to locally list two buildings in the Avenue. It was agreed by general assent that the proposal to remove Ashbourne Avenue from the Conservation Area should be taken out of the documents before they went forward for consultation.

A Member, who was not a Member of the Panel, had identified a number of minor factual and typographical errors in the documents. The Panel agreed that the Member would liaise with officers outside of the meeting to correct any errors before the documents went forward to the Portfolio Holder for approval.

Officers advised that the final version of the document would be graphically designed and produced in the 'house style'.

Resolved to RECOMMEND: (to the Portfolio Holder for Planning, Development and Enterprise)

That the revised drafts of the Roxeth Hill Conservation Area Character Appraisal and Management Strategy, as set out in the appendices to the report of the Director of Planning, and amended in accordance with the comments and corrections agreed by the Panel, be approved for public consultation.

[Reason for Recommendation: These documents will form part of the forthcoming Harrow on the Hill Conservation Area Supplementary Planning Document and will need to be subject to full public consultation and adoption as part of the LDF programme. In the interim, these documents, once subject to public consultation, will help towards the Council's performance against Best Value Performance Indicator (BVPI) 219, which assesses the number of conservation areas with up to date appraisals and management strategies].

RECOMMENDATION 2 - Harrow on the Hill Village Conservation Area Character Appraisal and Management Strategy

The Panel received a report of the Director of Planning, which included, as appendices, a draft character appraisal and management strategy for Harrow on the Hill (HOTH) Village Conservation Area. Officers drew Members' attention to the comparison document provided on the supplemental agenda, which provided a summary of the main changes between the existing 1992 policy statement for HOTH and the draft character appraisal and management strategy.

Members commented that the policy has succeeded in maintaining a vibrant mix of shopping and restaurants, and had resisted residential conversion. Concern was

expressed at the dilapidated state of some of the buildings in West Street, and Members agreed that the section of the document that referred to these buildings should be reworded to emphasise the seriousness of the situation.

A Member, who was not a Member of the Panel, had identified a number of minor factual and typographical errors in the documents. The Panel agreed that the Member would liaise with officers outside of the meeting to correct any errors before the documents went forward to the Portfolio Holder for approval.

Resolved to RECOMMEND: (to the Portfolio Holder for Planning, Development and Enterprise)

That the revised drafts of the Harrow on the Hill Village Conservation Area Character Appraisal and Management Strategy, as set out in the appendices to the report of the Director Planning, and amended in accordance with the comments and corrections agreed by the Panel, be approved for public consultation.

[Reason for Recommendation: These documents will form part of the forthcoming Harrow on the Hill Conservation Area Supplementary Planning Document and will need to be subject to full public consultation and adoption as part of the LDF programme. In the interim, these documents, once subject to public consultation, will help towards the Council's performance against Best Value Performance Indicator (BVPI) 219, which assesses the number of conservation areas with up to date appraisals and management strategies].

RECOMMENDATION 3 - Enterprising Harrow - New Economic Development Strategy

The Panel received a report of the Director of Planning, which provided an explanation of how consultation responses had been used to revise the Strategy. The report included, as an appendix, a revised version of the Strategy. The Panel was advised that officers had sought to actively canvass opinions and make the consultation as inclusive as possible.

In response to a question from a Member, the officer advised that, in the past eight months, considerable progress had been made to promote Harrow's tourism, and benefits had already been seen. The possibility of including a Tourist Information Office in any new development at Gayton Road was being considered.

Officers advised that the issue of empty office space, highlighted in the consultation responses, had been recognised and was being addressed, and would tie in with work in relation to Business Improvement Districts. The Employment Land Survey carried out in the Borough had identified that Harrow did not have the right kind of office space, and that some offices were being converted into residential use. It was necessary to identify the barriers which were stopping office space from being let.

The Chairman commended officers on the report and the Panel agreed that the Strategy was very important for Harrow. A Member expressed concern that the Panel had received the report on the day before the meeting. Having been put to a vote, the Panel

Resolved to RECOMMEND: (to Cabinet)

That the Strategy be approved.

[Reason for Recommendation: To enable implementation of the Strategy to start].

[Note: Three Members of the Panel having requested a recorded vote by roll call, in accordance with Advisory Panel and Consultative Forum Procedure Rule 18.5, it was duly recorded that Councillors Marilyn Ashton, G Chowdhury, Narinder Singh Mudhar and Joyce Nickolay had voted in favour of the above Recommendation, and that Councillors Keith Ferry, Thaya Idaikkadar and Raj Ray had abstained from voting].

PART II - MINUTES

36. **Attendance by Reserve Members:**

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

Ordinary Member

Councillor Robert Benson
Councillor Manji Kara
Councillor Navin Shah

Reserve Member

Councillor Narinder Singh Mudhar
Councillor G Chowdhury
Councillor Raj Ray

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

RESOLVED: That, in accordance with Advisory Panel and Consultative Forum Procedure Rule 5, the following Councillor, who was not a Member of the Committee, be allowed to speak on the agenda items indicated:

Councillor Mrs Kinnear	Agenda item 6 – Roxeth Hill Conservation Area Character Appraisal and Management Strategy and Agenda item 7 – Harrow on the Hill Village Conservation Area Character Appraisal and Management Strategy
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38. **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.

39. **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>
7. Harrow on the Hill Village Conservation Area Character Appraisal and Management Strategy – Addendum to Report	This addendum to the report was not available at the time the agenda was printed and circulated. Member were requested to consider this item, as a matter of urgency, to assist in their consideration of the report.
8. Enterprising Harrow – New Economic Development Strategy	This report was not available at the time the agenda was printed and circulated as the consultation period ended 17 April 2007 which was after the agenda print deadline. Members were requested to consider this item, as a matter of urgency, so that it could be considered by Cabinet on 15 May 2007.
9. LDF Core Strategy – Issues and Options and Strategic Options – Report on Consultation Response	The appendices to the report could not be completed to be available at the time the agenda was printed and circulated due to IT problems. Members were asked to consider this report, as a matter of urgency.

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

40. **Minutes:**

RESOLVED: That the minutes of the special meeting held on 23 January 2007 and of the ordinary meeting held on 26 February 2007 be deferred until the next ordinary meeting of the Panel.

41. **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).

42. **Roxeth Hill Conservation Area Character Appraisal and Management Strategy:**
(See Recommendation 1).43. **Harrow on the Hill Village Conservation Area Character Appraisal and Management Strategy:**
(See Recommendation 2).

44. **Enterprising Harrow - New Economic Development Strategy:**
(See Recommendation 3).

45. **LDF Core Strategy - Issues and Options, and Strategic Options - Report on Consultation Responses:**

The Panel received a report of the Director of Planning in this regard, which apprised the Panel of the consultation process to date and summarised the issues raised by respondents.

Officers advised that a detailed summary of responses received was shown in the appendices to the report. The next stage in the process would be to consult Borough-wide, and a higher response rate was expected.

The Chairman commended officers on an interesting and informative report.

RESOLVED: That the content of the appendices summarising comments received on the Core Strategy Issues and Options and Strategic Options be noted.

(Note: The meeting having commenced at 7.30 pm, closed at 8.57 pm)

(Signed) COUNCILLOR MARILYN ASHTON
Chairman

SUPPORTING PEOPLE ADVISORY PANEL

25 APRIL 2007

Chairman: * Councillor Eric Silver

Councillors: * Mrs Margaret Davine
* David Gawn* Mrs Myra Michael
* Narinder Singh Mudhar (1)* Denotes Member present
(1) Denotes category of Reserve Member**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**28. **Attendance by Reserve Members:****RESOLVED:** To note the attendance at this meeting of the following duly appointed Reserve Member:-Ordinary MemberReserve Member

Councillor Mrs Vina Mithani

Councillor Narinder Singh Mudhar

29. **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.30. **Arrangement of Agenda:****RESOLVED:** That all items be considered with the press and public present.31. **Minutes:****RESOLVED:** That the minutes of the meeting held on 19 January 2007 be taken as read and signed as a correct record.32. **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).33. **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).34. **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).35. **The Supporting People Programme Update:**

The Panel received a report of the Director of Community Care, which updated Members on the key developments within the Supporting People (SP) Programme since the last meeting of the Panel.

Members questioned the Local Area Agreement (LAA) and procurement. Officers confirmed that the SP Programme sought a 'joined up' approach and that the LAA was a framework, which provided the opportunity to achieve this. Officers further confirmed that the SP Team would be looking to other boroughs where an LAA had been implemented, such as in the London Borough of Lambeth to find out the details contained in the agreement and the outcomes that would be achieved.

In response to Members' questions about procurement, an officer confirmed that the SP Service would work with small providers to ensure they had sufficient capacity and

knowledge in the tendering process. Officers also confirmed that with the Council's current financial situation, the SP Team aimed to protect preventative funding.

Officers confirmed that the grants received from the Government were allocated by a formula and that a Hawk worker who liaised between the Housing Department and the Probation Service was now in place. Members queried the Finders Fee scheme offered by the Housing Department.

Officers suggested that future Member visits to SP funded schemes take place in May and if any Members wished to visit a particular centre, they could contact officers. An officer confirmed that there would still be an inclusive forum after the summer.

RESOLVED: That (1) the report be noted;

(2) officers provide details of figures for Landlords who accept the Finders Fee payment offered by the Housing Department;

(3) officers arrange future visits to SP funded schemes with Members.

36. **Date of Next Meeting:**

RESOLVED: That officers would liaise with the Chairman and Nominated Member to seek an appropriate date for the next meeting of the Panel.

(Note: The meeting having commenced at 10.05 am, closed at 11.45 am)

(Signed) COUNCILLOR ERIC SILVER
Chairman

CONSULTATIVE
FORUMS

EMPLOYEES' CONSULTATIVE FORUM**24 APRIL 2007**

Chairman: * Councillor Mrs Camilla Bath

Councillors:	* David Ashton	* Graham Henson
	* Don Billson	* Chris Mote
	* Bob Currie	* Navin Shah

Representatives of HTCC: (Currently no appointees)

Representatives of UNISON:	* Ms L Ahmad	* Ms M Cawley
	* Kerry Bubenzer	* Mr S Compton

Representative of GMB: * Mr S Karia
* Mr J Rowe

* Denotes Member present/Employee Representative present

[Note: Mr P Leran of the GMB and Ms Brenda Goring, of Harrow Council Black Workers' Group (HCBWG) and the GMB, also attended the meeting].

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**40. **Attendance by Reserve Members:****RESOLVED:** To note that there were no Reserve Members in attendance at this meeting.41. **Declarations of Interest:****RESOLVED:** To note that the following interests were declared:

<u>Member</u>	<u>Nature of Interest</u>
Councillor Bob Currie	Declared a personal interest in that he was a retired, lifelong member of UNISON. Accordingly he remained in the room and took part in the discussion and decision-making on all items.
Councillor Graham Henson	Declared a personal interest in that he was a member of the Communications Workers Union. He also had a cousin who was employed by the Council. Accordingly he remained in the room and took part in the discussion and decision-making on all items.
Councillor Navin Shah	Declared a personal interest in that he was a member of Amicus-MSF and the Co-operative Party. Accordingly he remained in the room and took part in the discussion and decision-making on all items.

42. **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>
10. Information and Consultation Arrangements with Harrow Council Black Workers' Group (HCBWG) and the Disability Awareness, Information and Support Group (DAIS)	This report was not available at the time the agenda was printed and circulated. Members were requested to consider this item, as a matter of urgency.

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

43. **Minutes:**

RESOLVED: That (1) the minutes of the meeting held on 31 January 2007 be taken as read and signed as a correct record;

(2) a copy of the minutes of the previous meeting be attached with any agenda papers in future.

44. **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).

45. **Petitions:**

RESOLVED: (1) To note the receipt of the following petition which was referred to the relevant officer for action:

Restricted access to women's toilets at central depot

Representatives of Unison submitted a petition pointing out that security constraints meant that three of four women's toilets at the depot were not immediately accessible for staff and visitors;

(2) that Members be informed of the outcome.

46. **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).

47. **Progress report on Human Resources (HR) Policy (Grievance and Attendance):**

Members of the Forum were provided with a verbal update on progress following consultation with Trade Unions on Human Resources (HR) policy which had been requested by Members at the Forum's last meeting.

Officers had met with representatives of the unions and progress had been made. Officers had noted the unions' concern to keep the final stage of the appeal process in disciplinary dismissals, in which an employee could appeal to Members. A report would be submitted to the Corporate Management Team (CMT) on 25 April 2007, following which the final proposals would be put to the unions for agreement.

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

(2) once available the report on HR Policy (Grievance and Attendance) be circulated to Members of the Forum.

48. **Staff-Side Secretary Post:**

The Forum received a report from Unison representatives proposing the introduction of a Staff-Side Secretary post. The GMB representatives explained that the unions differed constitutionally, and the GMB was not yet in a position to support this proposal.

RESOLVED: That the introduction of a Staff-Side Secretary post be the subject of further discussion between the two unions, and that if agreement was not reached, the Forum would consider this item at its next meeting.

49. **Information and Consultation arrangements with Harrow Council Black Workers' Group (HCBWG) and the Disability Awareness, Information and Support Group (DAIS):**

The Forum received a report of the Corporate HR Manager on information and consultation arrangements agreed with Harrow Council Black Workers' Group (HCBWG) and the Disability Awareness, Information and Support Group (DAIS). As a result of concern at delays in communicating annual information on equality issues it had been agreed that raw data would now be supplied to the support groups for their own analysis. It was anticipated that the first set of data on recruitment would be available on 30 April 2007. The Trade Unions had also requested the earlier provision of data and this would be supplied to them.

Members raised the issue of the effects of targeted vacancy management, redeployment and mergers of departments on the statistics. The officer replied that the workforce profile was monitored in its entirety, although more information was available on people starting employment. Redeployment would be reflected in the figures in future.

Members and the representative of the Black Workers' Group welcomed the more timely provision of information to the two support groups and the Trade Unions.

RESOLVED: That the report be noted.

50. **Any Other Business:**

Organisational Review

Members requested an update on the Organisational Review at the next meeting of the Forum. A representative of Unison reported that the union would be submitting a report on the Organisational Review before the next Forum meeting, but agreed to attempt to produce a joint report with officers.

RESOLVED: That the above be noted and a report be submitted.

(Note: The meeting having commenced at 7.40 pm, closed at 8.21 pm)

(Signed) COUNCILLOR CAMILLA BATH
Chairman

