

2007 – 2008
January 2008 Volume 8



**CABINET
AND
COUNCIL
MINUTES**

CABINET AND COUNCIL MINUTE BOOK

VOLUME 8: JANUARY 2008

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LICENSING PANEL

21 DECEMBER 2007
AND 14 JANUARY 2008

Chairman: * Councillor John Nickolay

Councillors: * Mano Dharmarajah * Tom Weiss

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**233. **Appointment of Chairman:****RESOLVED:** That Councillor John Nickolay be appointed Chairman of the Panel for the purposes of this meeting.234. **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.235. **Arrangement of Agenda:****RESOLVED:** That all items be considered with the press and public present.236. **Minutes:**

(See Note at conclusion of these minutes).

237. **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.238. **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.

239. **Application for a new Premises Licence for Shankar Superstore, 231-233 Northolt Road, South Harrow, HA2 8HN:**

The Panel received a report of the Chief Environmental Health Officer, which sought the determination of a new application for Shankar Superstore, 231-233 Northolt Road, South Harrow, HA2 8HL. The application had been made by Mr Poovilingam Suguneswaran and was referred to the Panel as there was one unresolved representation from the Metropolitan Police.

The applicant, Mr Poovilingam Suguneswaran, was in attendance and was represented by Mr J Simons from Accu Price Licensing. Also present were Sergeant Carl Davis from the Metropolitan Police; Mr P Sivashankar, Mr Stephen Gallagher and Ms Maher Khan from Licensing Services; and Mr Thisboan as Mr Poovilingam Suguneswaran's friend.

Mr Sivashankar informed the Panel that the previous licence holder for Shankar Superstore, Mr Alakaratham, was due to have the revocation of his license heard by the appeal court on 3 January 2008.

Mr Simons, speaking on behalf of the applicant, stated that, Mr Suguneswaran, had been running Shankar Superstore as Caretaker Manager since October 2007. It was noted that the applicant had come to this position after reading an advertisement in a local newspaper advertising the sale of the business. Responding to questions it was clarified that the applicant had paid Mrs Alakaratham, the leaseholder, and Mrs Theagarajah, the freeholder, amounts for the business. Though he was not required to do so, the applicant did not have a signed lease or management agreement to show the Panel. A document pertaining to be such was tabled, which had been signed on the 19 December 2007.

In response to questions, Mr Suguneswaran stated that he had experience running an off-licence and had applied for his personal licence. He further stated that, given the previous trouble at Shankar Superstore, himself and his staff would avoid selling alcohol to minors by implementing two underage policies, one of which would be 'Challenge 21'. Mr Suguneswaran added that a friend would also be applying for a personal licence, being a requirement that the personal licence holder be on-site during the hours of selling alcohol. Mr Simons added that the applicant had no financial connection with the previous manager of the business, Mr Alakaratham, and had co-operated with the police concerning the present application.

In his representation, Sergeant Davis, stated that Mr Suguneswaran had to prove to the Panel that he had no connection to Mr Alakaratham. He felt that the applicant must show a signed lease that proved the business arrangement went beyond a verbal agreement. Sergeant Davis further stated that the police representation did not imply that the freeholder had any connection to the earlier problems at the premises.

In response to questions Sergeant Davis stated that the police believed that Mr Alakaratham was still running Shankar Superstore and that there had been no proof from the applicant to suggest otherwise.

RESOLVED: That (1) the hearing be adjourned until a date not less than three weeks and not more than four weeks from today;

(2) all parties be notified of a date and time as seems reasonably practicable.

REASONS:

1. The Licensing Committee consider it necessary in order to consider the representations made by both the appellant and the representative of the responsible authority at the next hearing, by which time it is anticipated there will be sufficient available clarification with regard to the relationship between the applicant and the current premises holder.
2. Both the applicant and the representative from the responsible authority have agreed that the adjournment is appropriate.

At the reconvened hearing on 14 January 2008 Stephen Gallagher reported that Mr Alakaratham's appeal on 3 January 2008 had been unsuccessful. He further commented that there was no licence to sell alcohol at the premises of Shankar Superstore.

Mr Simons presented the panel with an updated management agreement signed by both the freeholders and the applicant. Letters from Mr Suguneswaran's solicitor and accountant further supported the document. In addition to this a copy of the applicant's VAT return was produced. Under questioning Mr Simons responded that the new document contained clauses allowing Mr Suguneswaran to withdraw from the business if the licence was not granted. In this situation the freeholders would take over running of the business.

In response to questions from the Panel, Mr Suguneswaran confirmed that:

- Mr Alakaratham was being employed by himself purely on a consultancy basis;
- he expected his personal licence to be approved within 14 days;
- the capital raised for Shankar Superstore consisted of savings and borrowings.

Summing up, Sergeant Davis concluded that the police's representation remained unchanged. Sergeant Davis commented that discrepancies in the documents supplied and the applicant's representation relating to the amounts paid to the freeholders highlighted how unusual the application was.

Summing up, Mr Simons concluded that Mr Suguneswaran had always co-operated fully with the police and that there was no unreasonable business relationship between himself and Mr Alakaratham. He felt that documents supplied by the applicant should be sufficient to assuage any doubts of this. Mr Simons further added that capital had been generated by honest means and that the applicant was willing to add additional conditions to the licence in view of assisting the police further in satisfying the four licensing objectives.

RESOLVED: That having heard the relevant representations, the variation to the premises licence be granted, subject to the following conditions to promote the prevention of crime and disorder, the public safety, the prevention of public nuisance and the protection of children from harm objectives in the Act:

Mandatory conditions:

No supply of alcohol may be made under the premises licence –

- a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Conditions consistent with the operating schedule:

1. CCTV is installed and will be operated and maintained in accordance with the reasonable specification of the Metropolitan Police Crime Prevention Officer: images are to be securely stored, kept for a minimum of 28 days and made available to officers of the police or local authority upon request.
2. Statutory fire fighting equipment is kept on the premises and will be adequately maintained.
3. Fire exits are adequately signed and will be kept clear of obstruction at all times.
4. Notices will be displayed requesting that customers leave the premises in a quiet and orderly manner.
5. Deliveries (excluding newspapers and chilled food) will only be accepted during reasonable business hours.
6. A 'Challenge 21' policy will be in operation whereby any person attempting to purchase alcohol (or other age restricted product) and who appears to be under the age of 21 years, will be asked to provide proof (passport, driving licence or other such accredited form of photo identification) that they are over the age of 18 years: notices will be displayed to advise customers that they will be refused service if they cannot provide said proof; a refusals register will be kept to record such incidences.
7. A Central Station Monitored Intruder Alarm is to be fitted, maintained and operated meeting police requirements.
8. At any time that the premises is open after 2300 hours, a minimum of three staff are to be on duty until closing time.

(Note: The meeting having commenced at 1.40 pm on 21 December 2007, adjourned at 4.00 pm, reconvened at 10.05 am on 14 January 2008 and closed at 11.32 am.)

(Signed) COUNCILLOR JOHN NICKOLAY
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 16 JANUARY 2008

Chairman: * Councillor Marilyn Ashton

Councillors: * Don Billson * Julia Merison
 * Mrinal Choudhury * Narinder Singh Mudhar
 * Keith Ferry * Joyce Nickolay
 * Graham Henson (2)

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

[Note: Councillor Paul Scott also attended this meeting to speak on the item indicated at Minute 182 below].

PART I - RECOMMENDATIONS - NIL
PART II - MINUTES
181. 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 Thaya Idaikkadar | Councillor Graham Henson |

182. Right of Members to Speak:

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

| <u>Councillor</u> | <u>Agenda item</u> |
|-----------------------|---------------------------|
| Councillor Paul Scott | Planning application 2/02 |

183. Declarations of Interest:

RESOLVED: To note that the following declaration of interest was made by a Member present relating to business to be transacted at the meeting:

Any Other Business – Arrangement of Presentation Regarding Bentley Priory

Councillor Marilyn Ashton declared a prejudicial interest in the above item. Accordingly, she would leave the room and take no part in the discussion or decision-making on the item.

184. Arrangement of Agenda:

RESOLVED: That (1) in accordance with Committee Rule 27, it was agreed to suspend Committee Rule 18 to enable a letter from the Applicant for P/4121/07/CFU/DC3 (application 3/01 refers) to be distributed to the Committee;

(2) in accordance with the Local Government (Access to Information) Act 1985, the following 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> |
|--------------------|--|
| Addendum | This contained information relating to various items on the agenda and was based on information received after the agenda's dispatch. It was admitted to enable Members to consider all information relevant to the items before them. |

15. Protocol for Planning Committees This item was admitted to the agenda as a matter of urgency to enable the several major and complex applications either already submitted or expected in the immediate future to be dealt with in an informed and consistent manner.

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

185. **Minutes:**

RESOLVED: That the minutes of the meeting held on 5 December 2007 be taken as read and signed as a correct record.

186. **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.

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

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

188. **Representations on Planning Applications:**

RESOLVED: To note that no requests for representations had been received.

189. **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.

190. **Planning Appeals Update:**

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

RESOLVED: That the report be noted.

191. **Member Site Visits:**

RESOLVED: To note that there were no Members site visits to be arranged.

192. **Protocol for Planning Committee:**

The Committee received a report of the Director of Planning, Development and Enterprise proposing changes to the Protocol for Members and Reserve Members when dealing with Planning Applications and Lobbying and the Council's Committee Procedure Rules.

It was agreed to amend the wording of the proposed process to include:

- that applicants for major strategic schemes should be invited to make a presentation to all members of the Committee and reserves;
- a motion to refuse an application recommended for approval by officers should state clearly the proposed material planning reasons for refusal.

RESOLVED: That additional paragraphs as set out in the report, and amended above, be recommended as additions to the Constitution Committee Procedure Rules and the 'Protocol for Members and Reserve Members when dealing with Planning Applications and Lobbying' to ensure that decisions are properly taken for planning reasons.

- (i) that the Changes be referred to the Standards Committee and then to full Council for approval as it has the effect of amending the Council's Constitution.

193. **Any Other Urgent Business:**(1) Bentley Priory – Date for Presentation

RESOLVED: That the Committee meet at the Civic Centre on Wednesday 13 February 2008 at 6.30 pm to receive a presentation from the applicants regarding Bentley Priory.

[Note: The Chairman, Councillor Marilyn Ashton, having declared a prejudicial interest in the above item, the Vice-Chairman, Councillor Joyce Nickolay, took the Chair for the duration of the item].

(See also Minute 183).

(Note: The meeting, having commenced at 6.30 pm, closed at 8.05 pm).

(Signed) COUNCILLOR MARILYN ASHTON
Chairman

SECTION 1 – MAJOR APPLICATIONS

LIST NO: 1/01 **APPLICATION NO:** P/3803/07/CFU/AF

LOCATION: Bentley Wood High School, Bridges Road, Stanmore
HA7 3NA

APPLICANT: Mr Michael Harwood for Bentley Wood High School

PROPOSAL: Part Three / Part Four storey extension to north wing of school to provide post 16 (Sixth Form) educational facilities

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

[Note: The Committee wished it to be recorded that the decision to grant the application was unanimous].

LIST NO: 1/02 **APPLICATION NO:** P/3887/07/CFU/AF

LOCATION: Bentley Wood High School, Bridges Road, Stanmore
HA7 3NA

APPLICANT: Ridge and Partners for Bentley Wood High School

PROPOSAL: One single storey and one two storey portacabin building to provide temporary classrooms and one two storey portacabin building to provide a temporary science block

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

[Note: The Committee wished it to be recorded that the decision to grant the application was unanimous].

LIST NO: 1/03 **APPLICATION NO:** P/3708/07/CFU/DT2

LOCATION: Peterborough Cottage, Garlands Lane, Harrow

APPLICANT: Kenneth W Reed & Associates for The Keepers and Governors of Harrow School

PROPOSAL: Redevelopment of Peterborough Cottage to provide new school boarding house

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

[Notes: (i) Pursuant to Condition 4 the Committee requested that the landscaping scheme be submitted to the Committee for approval;

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

SECTION 2 – OTHER APPLICATIONS RECOMMENDED FOR GRANT

LIST NO: 2/01 **APPLICATION NO:** P/3704/07/CCA/DT2

LOCATION: Peterborough Cottage, Garlands Lane, Harrow on the Hill

APPLICANT: Kenneth W Reed & Associates for the Keepers and Governors of Harrow School

PROPOSAL: Conservation Area Consent: demolition of Peterborough Cottage and outbuildings

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

[Note: The Committee wished it to be recorded that the decision to grant the application was unanimous].

LIST NO: 2/02 **APPLICATION NO:** P/4068/07/DOU/GL

LOCATION: 25 Elms Road, Harrow Weald, HA3 6BB

APPLICANT: Simpson McHugh for Farmbridge Developments

PROPOSAL: Outline for layout, scale, appearance and access: redevelopment to provide a detached three-storey block of 8 flats; new vehicular access and basement parking

DECISION: GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum:

[Note: (i) Pursuant to Condition 4 the Committee requested that the landscaping scheme be submitted to the Committee for approval;

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

LIST NO: 2/03 **APPLICATION NO:** P/3797/07/CFU/GL

LOCATION: Garden House, 5 St John's Road, Harrow, HA1 2EL

APPLICANT: Belinda Prichard for London Borough of Harrow

PROPOSAL: Temporary change of use from office (Class B1) to library (Class D1) for five years

DECISION: GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum:

The addition of Condition 3: The development hereby permitted shall retain provision for people with mobility impairments, to gain access to, and egress from, the building without the need to negotiate steps.

Reason: To ensure that the development will be accessible for people with disabilities in accordance with the policies of the Harrow Unitary Development Plan.

[Note: The Committee wished it to be recorded that the decision to grant the application was unanimous].

LIST NO: 2/04 **APPLICATION NO:** P/3373/07/CVA/DT2

LOCATION: Gegan House, Parr Road, Stanmore

APPLICANT: C B Richard Ellis for Devonshire Development Ltd

PROPOSAL: Removal of conditions 3 and 4 of planning permission Ref: P/1934/07/CFU for changes to elevations

DECISION: GRANTED permission for the development described in the application and submitted plans.

LIST NO: 2/05 **APPLICATION NO:** P/3926/07/DDP/DC3

LOCATION: Former Government Offices Site, Honeypot Lane, Stanmore HA7 1BB

APPLICANT: Turley Associates for Berkeley Urban Renaissance Ltd

PROPOSAL: Details of existing and proposed finished floor levels required by condition 27 of planning permission P/2317/06/CFU

DECISION: The application was withdrawn by the Applicant.

LIST NO: 2/06 **APPLICATION NO:** P/3930/07/DDP/DT2

LOCATION: Former Government Offices Site, Honeypot Lane, Stanmore HA7 1BB

APPLICANT: Turley Associates for Berkeley Urban Renaissssance Ltd

PROPOSAL: Details of phasing required by condition 22 of planning permission P/2317/06/CFU

DECISION: GRANTED permission for the development described in the application and submitted plans.

[Note: The Committee wished it to be recorded that the decision to grant the application was unanimous].

SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

LIST NO: 3/01 **APPLICATION NO:** P/4121/07/CFU/DC3

LOCATION: 118-120 Headstone Road, Harrow HA1 1PF

APPLICANT: Nu-Ne Lah Design for Botwelllears Properties Ltd

PROPOSAL: Retention of 3-storey block of 14 flats with rooms in the roof space, parking for 2 cars and binstore to the front (resident permit restricted)

DECISION: REFUSED permission for the development described in the application and submitted plans, for the reasons reported as amended by the Addendum as follows:

- i) The proposed development, by way of poor roof design, higher eaves, and higher front and rear parapet walls, would poorly relate to the adjoining properties and detract from the character and appearance of the building and wider street scene contrary to policies 4B.1 of the London Plan 2004, D4 of the Harrow Unitary Development Plan 2004, Supplementary Planning Guidance: Designing New Development and Supplementary Planning Guidance: Extensions A Householders Guide (March 2003)
- ii) The proposed development, by way of poor internal layout and inadequate room size, would produce unacceptable standards of accommodation and fail to meet requirements of Lifetime Homes Standards and Wheelchair Homes Standards, contrary to policies 3A.4 of The London Plan 2004 and Accessible Homes Supplementary Planning Document (April 2006)

[Note: (i) As detailed in Minute 184, by virtue of Rule 27, Committee Procedural Rule 18 was suspended to allow members of the Committee to consider a letter from the Applicant dated 16 January 2008 which made representations about the application.

(ii) The Head of Planning had recommended that the above application be refused.

(iii) The voting was 5 for refusal and 3 abstaining. Councillors Marilyn Ashton, Don Billson, Julia Merison, Joyce Nickolay and Narinder Singh Mudhar wished to be recorded as having voted for the application to be refused].

DEVELOPMENT
MANAGEMENT
COMMITTEE

REPORT OF DEVELOPMENT MANAGEMENT COMMITTEE

MEETING HELD ON 23 JANUARY 2008

Chairman: * Councillor Marilyn Ashton

Councillors: * Don Billson * Julia Merison
 * Mrinal Choudhury * Narinder Singh Mudhar
 * Keith Ferry * Joyce Nickolay
 * David Gawn (2)

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

PART I - RECOMMENDATIONS - NIL
PART II - MINUTES
182. 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 Thaya Idaikkadar | Councillor David Gawn |

183. Right of Members to Speak:

RESOLVED: To note that there were no requests to speak from Members who were not Members of the Committee.

184. 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.

185. Arrangement of Agenda:

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following 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> |
|--------------------|--|
| Addendum | This contained information relating to various items on the agenda and was based on information received after the agenda's dispatch. It was admitted to the agenda in order to enable Members to consider all information relevant to the items before them for decision. |

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

186. Minutes:

RESOLVED: That the minutes of the meeting held on 18 December 2007 be taken as read and signed as a correct record.

187. Public Questions:

RESOLVED: To note that no public questions were put at the meeting under the provisions of Committee Procedure Rule 19 (Part 4b of the Constitution).

188. Petitions:

RESOLVED: To note that no petitions had been received.

189. **Deputations:**

RESOLVED: To note that no deputations were received at the meeting under the provisions of Committee Procedure Rule 17 (Part 4b of the Constitution).

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

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

191. **Representations on Planning Applications:**

RESOLVED: To note that no requests for representations had been received.

192. **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.

193. **Enforcement Notices Awaiting Compliance:**

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

RESOLVED: That the report be noted.

194. **Tree Preservation Order No. 896 relating to Royston Grove, Hatch End:**

RESOLVED: To confirm Tree Preservation Order No. 896.

195. **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 7.25 pm).

(Signed) COUNCILLOR MARILYN ASHTON
Chairman

SECTION 2 – OTHER APPLICATIONS RECOMMENDED FOR GRANT

LIST NO: 2/01 **APPLICATION NO:** P/3657/07/CFU/SG
LOCATION: 29 Marcias Avenue, Harrow Weald, HA3 6JA
APPLICANT: Mr Bosco & Mrs Selraraj
PROPOSAL: Single storey side to rear extension; Demolition of existing garage.
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informative reported.

LIST NO: 2/02 **APPLICATION NO:** P/3441/07/DFU/SB5
LOCATION: 11 Leamington Crescent, South Harrow, HA2 9HH
APPLICANT: PK Properties
PROPOSAL: Alterations at front / side and single storey rear extension and conversion of dwelling house to two flats; Bin store at side and parking at front and rear.
DECISION: GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informative reported, subject to the following:
 (i) Amending Condition 7 to read, “The development hereby permitted shall not be occupied or used until the forecourt parking space shown on the approved plans has been made available for use. The space shall be allocated for use by the occupants of the ground floor flat (Flat A) only and shall be used for no other purpose without the prior written permission of the Local Planning Authority”.
 [Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

LIST NO: 2/03 **APPLICATION NO:** P/3734/07/DFU/SB5
LOCATION: 163 Whitmore Road, Harrow, HA1 4AG
APPLICANT: Mr M Papapavlou
PROPOSAL: Single storey side and rear extension; New pitched roof over existing front dormer.
DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informative reported.

LIST NO: 2/04 **APPLICATION NO:** P/4052/07/CFU/MRE
LOCATION: Rooks Heath College for Business and Enterprise, Eastcote Lane, South Harrow
APPLICANT: Harrow Council
PROPOSAL: Single and two storey extension fronting Eastcote Lane and external alterations to provide post 16 (sixth form) educational facilities.
DECISION: GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informative reported.

LIST NO: 2/05 **APPLICATION NO:** P/2759/07/DFU/GL

LOCATION: Land at rear of 176 – 182 Harrow View, Harrow, Adjacent to No 2 Bolton Road

APPLICANT: Assured Property Services

PROPOSAL: Two, two storey houses with accommodation in roof; Access and parking

DECISION: GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informative reported.

[Note: The Committee wished it to be recorded that the decision to grant the application was unanimous].

LIST NO: 2/06 **APPLICATION NO:** P/3181/07/DFU/SB5

LOCATION: 37 Shaftesbury Circle, Shaftesbury Avenue, South Harrow, HA2 0AH

APPLICANT: Mr Murtaza Anwar

PROPOSAL: Change of use of shop (Class A1) to hot food takeaway (Class A5); External alterations and extract flue at rear.

DECISION: GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informative reported, subject to the following:

(i) Inserting a further condition “Refuse arrangements – Use” (WASTE_US_M) which states “The development hereby permitted shall not commence until a scheme for:

- The storage and disposal of refuse / waste
- The vehicular access thereto

has been submitted to, and approved in writing by, the local planning authority. The use hereby permitted shall not be commenced until the works have been completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure adequate standards of hygiene and refuse / waste collection without prejudice to the enjoyment by neighbouring occupiers of their properties”.

[Note: The Committee wished for it to be recorded that they had concerns with refuse issues in the area surrounding this application. The Committee also made a request to Environmental Health to take actions to ameliorate problems with refuse in this area. The Committee also wished for it to be recorded that the decision to grant the application was unanimous].

LIST NO: 2/07 **APPLICATION NO:** P/3852/07/CRE/LW

LOCATION: Anmer Lodge, Coverdale Close, Stanmore, HA7 3TU

APPLICANT: Harrow Council- Adults and Housing Services

PROPOSAL: Variation of condition 2 of planning permission EAST/809/99/FUL to allow hostel use to continue until 1 Feb 2011

DECISION: GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informative reported, subject to the following:

(i) Amending condition 1 to read: The use hereby permitted shall be discontinued and the land restored to its former condition no later than 1st February 2010, unless otherwise agreed in writing by the local planning authority before the expiration of the permission, in accordance with a

scheme of work submitted to, and approved beforehand by, the local planning authority.

REASON: To safeguard the amenity of neighbouring residents and to permit reconsideration in the light of circumstances thus prevailing.

[Note: The Committee wished for it to be recorded that the decision to grant the application was unanimous].

| | | | |
|-------------------|--|------------------------|--------------------------|
| LIST NO: | 2/08 | APPLICATION NO: | P/3554/07/CFU/SB5 |
| LOCATION: | Unit 8 Brember Road, South Harrow Industrial Estate, HA2 8AX | | |
| APPLICANT: | Piotr Tomicki | | |
| PROPOSAL: | Change of use of warehouse (B8 Class) to wholesale bakery (Class B1) | | |
| DECISION: | WITHDRAWN by the applicant. | | |

| | | | |
|-------------------|--|------------------------|--------------------------|
| LIST NO: | 2/09 | APPLICATION NO: | P/4015/07/DDP/DT2 |
| LOCATION: | Former Government Offices Site, Honeypot Lane, Stanmore, HA7 1BB | | |
| APPLICANT: | Berkeley Urban Renaissance Ltd | | |
| PROPOSAL: | Details of contamination investigation required by condition 2 of planning permission Ref: P/2717/06/CFU redevelopment to provide 798 residential units (including 40% affordable housing) 959 sq m Class A1/A2/A3/A4/A5/D1 and 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 to allow further discussions with the applicant on the requirements of the condition. | | |

| | | | |
|-------------------|--|------------------------|--------------------------|
| LIST NO: | 2/10 | APPLICATION NO: | P/4035/07/DDP/DC3 |
| LOCATION: | Former Government Offices Site, Honeypot Lane, Stanmore, HA7 1BB | | |
| APPLICANT: | Berkeley Urban Renaissance Ltd | | |
| PROPOSAL: | Details of surface water storage / attenuation works required by condition 26 of planning permission reference : P/2317/06/CFU | | |
| DECISION: | DEFERRED to allow further discussions with the applicant on the requirements of the condition. | | |

| | | | |
|-------------------|---|------------------------|-----------------------|
| LIST NO: | 2/11 | APPLICATION NO: | P/4014/DDP/DT2 |
| LOCATION: | Former Government Offices Site, Honeypot Lane, Stanmore, HA7 1BB | | |
| APPLICANT: | Berkeley Urban Renaissance Ltd | | |
| PROPOSAL: | Details of tree and hedgerow survey required by condition 7 of planning permission Ref: P/2317/06/CFU | | |
| DECISION: | DEFERRED to allow further discussions with the applicant on the requirements of the condition. | | |

OVERVIEW AND
SCRUTINY
COMMITTEE

REPORT OF OVERVIEW AND SCRUTINY COMMITTEE

MEETING HELD ON 28 JANUARY 2008

| | | |
|------------------|---|---|
| Chairman: | * Councillor Stanley Sheinwald | |
| Councillors: | * Mrs Margaret Davine * B E Gate * Mitzi Green * Manji Kara * Ashok Kulkarni (2) * Barry Macleod-Cullinane | * Jerry Miles * Mrs Vina Mithani * Dinesh Solanki † Yogesh Teli * Mark Versallion |
| Voting Co-opted: | (Voluntary Aided) † Mrs J Rammelt † Reverend P Reece | (Parent Governors) * Mr R Chauhan Mrs D Speel |

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

[Notes: (i) Councillor Mrs Rekha Shah, in her capacity as Scrutiny Performance Lead Member, Adult Health and Social Care, also attended this meeting to speak on the item indicated at Minute 260 below;

(ii) Councillor Eric Silver, having been invited by the Committee in his capacity as Portfolio Holder, Adult Services, also attended this meeting to speak on the item indicated at Minutes 258, 259 and 260].

PART I - RECOMMENDATIONS - NIL
PART II - MINUTES

250. **Councillor Dhirajlal Lavingia:**
A minute of silence was observed in memory of Councillor Dhirajlal Lavingia. The Vice-Chairman of the Committee paid tribute to the work carried out by Councillor Lavingia, in particular the amount of voluntary work he had carried out. He would be sorely missed by his colleagues and the community of Harrow.

251. **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 Anthony Seymour | Councillor Ashok Kulkarni. |

252. **Declarations of Interest:**

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

Agenda Item 10 - Healthcare for London: Consulting the Capital - Local Consultation Process

The following Members declared personal interests as set out below and remained in the room to participate in the discussion and decision relating to this item and ask questions on the presentation received at the meeting:-

- (i) Councillor B E Gate stated that his wife and daughter worked for a local General Practitioner (GP);
- (ii) Councillor Mrs Vina Mithani stated that she worked for the Health Protection Agency;
- (iii) Councillor Eric Silver, who was not a member of this Committee, stated that he was a contractor who dealt with the Primary Care Trust (PCT).

Agenda Item 11 – Final Report on CSCI Annual Review

The following Members declared personal interests as set out below and remained in the room to participate in the discussion and decision relating to this item and ask questions on the presentation received at the meeting:-

- (i) Councillor Mitzi Green stated that her son received benefits from the Council;
- (ii) Councillor Mrs Margaret Davine stated that her mother was in receipt of social care from the Council;
- (iii) Councillor Stanley Sheinwald stated that he was Chair of the Carers' Partnership Group.

253. Arrangement of Agenda:

The Chairman re-ordered the agenda of the meeting. For clarity, business is recorded in the order set out in the agenda.

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

254. Minutes:

RESOLVED: That (1) the minutes of the meeting held on 13 November 2007, which had previously been confirmed at the special meeting of the Overview and Scrutiny Committee meeting held on 11 December 2007, be further amended as follows:-

Minute 206, to delete the words 'and the Neighbourhood Housing Trust' from paragraph (ii);

(2) the minutes of the special meeting held on 11 December 2007 be taken as read and signed as a correct record subject to the following amendments:-

Minute 243 (i), paragraph 2 be amended to read 'Councillor Dinesh Solanki declared a personal interest in that he lived in Wealdstone';

Minute 243 (ii), paragraph 3 be amended to read:

- (i) Councillor Jeremy Zeid declared an interest in that he was a governor of Priestmead Middle School;
- (ii) Councillor Barry Macleod-Cullinane declared an interest in that he was a governor of Canons High School;
- (iii) Councillor Anthony Seymour declared an interest in that he was a governor of Pinner Park Middle School;
- (iv) Councillor Ashok Kulkarni declared an interest in that he was a governor of Roxbourne First and Middle School.

255. Public Questions:

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

256. Petitions:

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

257. Deputations:

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

258. References from Council/Cabinet:

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

259. **Report from Scrutiny Policy and Performance Lead Members' Quarterly Briefings:**

The Committee received a report of Interim Divisional Director, Strategy and Improvement, which set out matters that had been considered by the Scrutiny Policy and Performance Lead Members between October and December 2007.

The Scrutiny Manager introduced the report and highlighted the key aspects of the report, and sought approval of the letter set out at Appendix 2.

The Scrutiny Policy Lead Member, Children and Young People, suggested that:-

- the letter at Appendix 2 be signed off by the Scrutiny Policy and Performance Lead Members, Adult Health and Social Care;
- the report on Children and Young People, which made reference to the target of developing more Children's Centres between 2008-2011, ought to include that, by 2011, Harrow would have a total of 16 Children's Centres.

RESOLVED: That (1) the reports of the Scrutiny Policy and Performance Lead Members be noted;

(2) the letter at Appendix 2 of the report, addressed to the Chief Executive of the North West London Hospitals NHS Trust on the future of the Brent Birth Centre, be approved and that it be signed off by the Scrutiny Policy and Performance Lead Members, Adult Health and Social Care.

260. **Healthcare for London: Consulting the Capital - Local Consultation Process:**

The Chairman welcomed, Sarah Crowther, Chief Executive of Harrow Primary Care Trust (PCT), and Karen Butler, Head of Patient and Public Involvement, Harrow PCT.

Sarah Crowther gave a presentation on Healthcare for London: Consulting the Capital. The consultation, currently being carried out by all PCTs in London and Surrey over a three-month period, was based on proposals arising from Healthcare for London: Framework for Action, also known as the Darzi Review. The proposals were aimed at making the best use of taxpayers' money, at the same time as delivering improvements and reducing inequalities in healthcare in London in the context of a projected growth in demand for services. A shift in the balance between community and hospital care was being proposed, together with the establishment of polyclinics, offering a wide range of high-quality services over extended hours. There would be a range of hospitals - local, major acute and specialist, with effective centres carrying out high-volume elective surgery. Feedback from a public consultation "roadshow" event held at Harrow Civic Centre on Saturday 26 January 2008 demonstrated that a priority for local people was that all the services worked well together. Sarah Crowther emphasised that the consultation related to a framework for action, not individual services or buildings. The consultation would end on 7 March 2008, with recommendations to be drawn up in summer 2008. PCTs would then develop detailed proposals, which would be subject to discussion, scrutiny and consultation, and Harrow PCT looked forward to working with the Overview and Scrutiny Committee on this process.

Sarah Crowther and Karen Butler then responded to Members' questions as follows:-

- partnership working, for example, with social care providers, was important to Harrow PCT, although at this stage much more work needed to be done on finance to ensure there was adequate funding, with a view at a later stage to setting out a year-on-year plan on which the PCT would work closely with the Council;
- the 26 January 2008 "roadshow" had attracted over 50 people, there had been events at two local supermarkets, and documents and posters had been circulated throughout the local community. While the number of responses was not yet high, it was important to note that the quality of the feedback received had been good. Unfortunately, it had not been possible to hold the "roadshow" in Harrow Town Centre because of the IT requirements which could not be met by the two shopping centres. Feedback from other PCTs was that the quality of responses from "roadshows" in shopping centres had not been good;
- in order to make effective use of Information Technology (IT) systems and guarantee security of patients' records, the PCT would need to make some changes to systems, but also to make better use of what was already

available, and every PCT Chief Executive was conducting a review of data security. There existed different levels of access to patients' records and amendments to records needed to be tracked. She acknowledged that the systems needed to be robust;

- the Council had supported the consultation process by publicising it in Harrow People and distributing information through the public libraries. The support provided would be reviewed and further assistance would be sought, if necessary. The PCT was open to suggestions on different consultation methods. However, the PCT was charged with carrying out local consultation and would feed back any views should the consultation methods used fail to ensure the right levels of returns;
- the PCT had invited online responses to the consultation, and had asked for a link to www.healthcareforlondon.nhs.uk to be placed on the Council's website;
- the introduction of polyclinics would be done in a phased way, with account taken of the potential of existing buildings and ease of access. Existing buildings would be converted and savings delivered through the use of the polyclinic models. The PCTs would also lobby for improved public transport facilities to polyclinics;
- work was being done to improve dedicated stroke services, in which London was currently not performing as well as it should, and the Chief Executive of the North West London Hospitals NHS Trust, Fiona Wise, was aware of this. Sarah Crowther was of the view that a single dedicated stroke unit at Northwick Park Hospital was the way forward. Members were keen to ensure that all avenues were explored, including partnership working with private hospitals in the area to ensure the best possible outcomes for stroke patients;
- pragmatic discussions would need to take place about the Local Area Agreement.

Sarah Crowther also agreed to provide a written answer to a Member's question on a report of low levels spending on cancer treatment in Harrow.

The Interim Corporate Director, Adults and Housing, stated that the proposals would also create new opportunities. He added that an integrated approach to Health and Social Care provision was essential. Joint consultations were a way forward, particularly during the second consultation stage. The Council would also be willing to work jointly with the PCTs in relation to the management of assets available for polyclinics. A definition of what constituted a community was also necessary.

The Chairman thanked Sarah Crowther for the presentation, and Sarah Crowther and Karen Butler for their responses to Members' questions.

RESOLVED: That (1) the presentation be received and noted;

(2) that a link for online responses to the Healthcare for London: Consulting the Capital be provided on the Council's website on behalf of the Committee and the PCT as a matter of urgency, the matter being referred to the Portfolio Holder, Strategy and Business Support;

(3) that the Committee's response to the consultation be signed on behalf of the Committee by the Chairman and Vice Chairman;

(4) that the Scrutiny Performance and Policy Lead Members, Adult Health and Social Care, examine the response, when received, on the low levels of special cancer treatment in Harrow and how this affected outcomes.

261. **Final Report on CSCI Annual review:**

The Portfolio Holder, Adult Services, introduced the summary report of the Commission for Social Care Inspection (CSCI) on its annual assessment of Harrow's performance in social care services for adults in 2006/07. The CSCI's overall judgement was that the Council had provided adequate delivery of outcomes during the period, with a star rating of one (on a scale of zero to three), with uncertainty about the services' capacity to improve.

The Interim Corporate Director, Adults and Housing, gave a presentation on measures being taken to address this assessment and improve adult social care services, reporting that this area now had a higher profile, with a focus on well-being,

self-directed support and safeguarding vulnerable adults. Cabinet had agreed that adult services/intermediate care were a priority, and these services now featured strongly in the new Local Area Agreement. The officer welcomed involvement from Scrutiny in relation to the safety of vulnerable adults. In response to a Member's question, he reported that both the Council and the PCT had agreed to put more money into intermediate care services.

Answering questions about the implications of the recent judicial review of the Council's decision to change the criteria of eligibility for adult social care, in which a judge had found against the Council on one of five counts, the Corporate Director and the Portfolio Holder informed Members that steps were being taken to ensure that any relevant lessons might be learned from this challenge.

A Member was concerned that Cabinet had not received sufficient advice in this regard. He was of the view that Scrutiny might want to examine the process to identify problem areas. The knock-on effect of the decision needed to be realised and it was important that the process was robust. He was of the view that such decisions ought to be taken by full Council.

The Director stated that should Council decide to move to provision of critical care only in the future, the vulnerable would be safeguarded.

Members noted a new will to improve adult services and were confident of a higher assessment in the future.

RESOLVED: That the report and the comments above be noted.

262. **Scrutiny Review of Obesity in Harrow - Final Report of the Obesity Review Group:**

The Scrutiny Performance Lead Member, Adult Health and Social Care, and the Scrutiny Policy Lead Member, Children and Young People, introduced the report, which set out the findings and recommendations of the Scrutiny Review of Obesity in Harrow.

The Scrutiny Policy Lead Member, Children and Young People, informed the Committee that Recommendation 7 had been addressed. In relation to Recommendation 3, she agreed to send details of the MEND programme to the Scrutiny Policy Lead Member, Adult Health and Social Care. She also drew attention to various Recommendations where the support of the PCT was crucial.

The Portfolio Holder, Adult Services, welcomed the opportunity to serve on the Diabetes Partnership Board (Recommendation 11 refers) but requested that the Scrutiny Policy Lead Member, Children and Young People, and the Scrutiny Performance Lead Member, Adult Health and Social Care, act as Co-Board Members. In relation to recommendation 12, the Portfolio Holder agreed that the communications teams of both Harrow and the PCT ought to work together.

Sarah Crowther, the Chief Executive of Harrow PCT, agreed that the PCT would be happy to work with the Council with a view to making joint bids for funding in this area (Recommendation 6 refers) and stated that Recommendation 13 would be addressed. She agreed in principle to all the review recommendations relating to the PCT. Members discussed the need for more children to walk to school and for adults to take responsibility for their own health. They also agreed that the 2012 Olympics should be used to enthuse more people to take exercise.

The Review Group and supporting officers were thanked for the excellent report.

RESOLVED: That (1) the report and its recommendations be endorsed, subject to adding a reference to the 2012 Olympics;

(2) the report be referred to Cabinet and the Harrow PCT Board for consideration and agreement;

(3) the monitoring of progress against the report's recommendations be placed on the Scrutiny Work Programme.

263. **Scrutiny Review of Partnership with Accord MP:**

The Chairman of the Review Group introduced the report, which set out the Group's findings and recommendations on the first year of the partnership between Harrow Council and Accord MP in the delivery of public realm services.

Unusually, and in order to avoid excessive delay in allowing Cabinet to see the report, it had been presented to Cabinet prior to coming to Overview and Scrutiny. Cabinet had endorsed the recommendations. Asked about specific success measures and measures of impact of the review, the Chairman of the Review Group said that there would be an update after six months, with implementation of the recommendations to be monitored on a "by exception" basis by the Performance and Finance Scrutiny Sub-Committee. The Vice-Chairman stated that the matrix at pages 150-151 of the agenda ought to have a time limit and that bench monitoring was also essential. Members agreed that the report was very positive, demonstrating a good partnership relationship. They also suggested that the Portfolio Holder, Environment Services, be kept informed of the results of the review.

It was noted that whilst the conclusions from this Review could be applied to the partnership with Kier, it would be looked at separately after the partnership was in operation for at least six months.

Officers were thanked for their support.

RESOLVED: That (1) the findings of the review be noted;

(2) the recommendations be endorsed;

(3) the implementation of the recommendations be monitored by means of an update after six months and on a "by exception" basis by the Performance and Finance Scrutiny Sub-Committee.

264. **Healthcare for London - Joint Overview and Scrutiny Committee (JOSC):**

RESOLVED: That it be noted that a response on the query relating to the legal basis of the decision taken by the Council in relation to the pan-London JOSC, referred to in Minute 245(a)(2) of the minutes of 11 December 2007 meeting, remained outstanding, and that, should the response not be received by the 11 February 2008 meeting of the Committee, the Chairman and the Vice-Chairman write to the Director of Legal and Governance Services seeking a response to this matter.

(Note: The meeting, having commenced at 7.34 pm, closed at 10.45 pm).

(Signed) COUNCILLOR STANLEY SHEINWALD
Chairman

SCRUTINY
SUB-COMMITTEES

PERFORMANCE AND FINANCE SCRUTINY SUB COMMITTEE**22 JANUARY 2008**

Chairman: * Councillor Mark Versallion

| | | |
|--------------|------------------|---------------------|
| Councillors: | Ms Nana Asante | * Christopher Noyce |
| | Robert Benson | * Phillip O'Dell |
| | * B E Gate | * Mrs Rekha Shah |
| | * Manji Kara (1) | Dinesh Solanki |
| | * Ashok Kulkarni | * Yogesh Teli |

* Denotes Member present

(1) Denotes category of Reserve Member

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**36. **Attendance by Reserve Members:****RESOLVED:** To note the attendance at this meeting of the following duly appointed Reserve Members:-Ordinary MemberReserve Member

Councillor Barry Macleod-Cullinane

Councillor Manji Kara

37. **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.38. **Arrangement of Agenda:****RESOLVED:** That all items be considered with the press and public present.39. **Minutes:****RESOLVED:** That the minutes of the meeting held on 6 November 2007 be taken as read and signed as a correct record.40. **Public Questions:****RESOLVED:** To note that no public questions were put at the meeting under the provisions of Overview and Scrutiny Procedure Rule 8.41. **Petitions:****RESOLVED:** To note that no petitions had been received.42. **Deputations:****RESOLVED:** To note that no deputations were received at the meeting under the provisions of Overview and Scrutiny Procedure Rule 10.43. **References from Council and Other Committees/Panels:****RESOLVED:** To note that no reports were received.44. **Chairman's Report:****RESOLVED:** To note and endorse the content of the Chairman's Report.45. **Performance Issues:**

No verbal updates were received. The Chairman agreed to prompt Performance Lead Members in future to raise any issues for inclusion in the Chairman's Report.

RESOLVED: To note (1) that no verbal updates were received;

(2) the comment above.

46. **By Exception: Officers' Report on the Performance of the Decent Homes Contract:**

The Sub-Committee considered a report of the Corporate Director, Community and Environment, setting out key points in relation to performance issues in the delivery of the decent homes contract. An officer reported on changes that Kier had made in response to officers' concerns at the pace of delivery of the contract. The changes had included:

- strengthening the project team
- a significant increase in the number of managers and technical staff
- the introduction of a storage facility for materials in response to concerns about the use of the *Just In Time* strategy.

The revised plan for delivery of the contract would be monitored by the core group, meeting on Kier's premises.

The officer and a representative from Kier answered Members' questions on the decent homes contract and the contract for repairs and maintenance, including:

- the percentage of jobs completed at the first visit – currently 85%;
- measures taken to ensure stocks of relevant spare parts – through the use of gas-servicing records and dedicated suppliers;
- customer satisfaction feedback – measured by Kier's independent phone calls to customers, currently showing a 95% satisfaction rate;
- in response to a tragic accident reported in the national press, measures taken to verify the safety of heating thermostats and respond to tenants' concerns;
- the motivation for Kier to perform well – Kier's reputation, the value of the overall contract (of which the decent homes contract was only one strand) and Kier's wish to remain a good partner;
- the use of financial penalties in the event of non-delivery of a contract – money could be recovered in relation to specific areas of the contract in the event of a quantifiable loss, but the use of financial penalties in other areas would be illegal;
- the prospects for localisation in relation to the supply chain and employment – the five-year contract provided Kier with a good chance to increase localisation;
- given the large number of homes to be refurbished by the end of March, the prospects of successful delivery – Kier was committed to delivering the contract, and both the officer and the Kier representative believed the target could be achieved with the level of resources now in place.

The Divisional Director of Housing also answered questions on the decent homes programme, confirming that the standard applied in Harrow was higher than that set out by the Government.

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

(2) performance on the decent homes contract continue to be monitored at the monthly Chairman's meeting.

47. **Protocol for Operation of Performance and Finance Committee – Update:**

The Sub-Committee considered a report of the Corporate Director, Strategy and Business Support, setting out an update to the protocol for the operation of the Performance and Finance Scrutiny Sub-Committee.

RESOLVED: That the amendments to the protocol, set out in the appendix to the report, be agreed.

48. **Scrutiny Scorecard:**

The Sub-Committee considered a report of the Corporate Director, Strategy and Business Support, setting out Scrutiny performance in the previous quarter, as recorded in the Scrutiny Scorecard. An officer reported that, while this process was still at an early stage, it nevertheless provided helpful information and was a good basis for

future analysis. The officer agreed to contact Harrow IT Services for data about the Scrutiny section of the Council's website.

RESOLVED: That the report, and the comments above, be noted.

49.

Reference to Overview and Scrutiny Committee:

The Sub-Committee considered a report of the Corporate Director, Strategy and Business Support, recommending that resolutions and findings from this meeting be reported to the next available meeting of the Overview and Scrutiny Committee.

RESOLVED: To approve the drafting of a reference report to the Overview and Scrutiny Committee, setting out findings and resolutions, and identifying any issues on which the Performance and Finance Sub-Committee recommended that an item be escalated for further consideration.

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

(Signed) COUNCILLOR MARK VERSALLION
Chairman

CALL-IN SUB-COMMITTEE (EDUCATION)

30 JANUARY 2008

Chairman: Councillor Anthony Seymour

Councillors: * Robert Benson (4) * Ashok Kulkarni (3)
 * Mrs Lurline Champagnie * Barry Macleod-Cullinane
 * B E Gate * Stanley Sheinwald
 * Mitzi Green (Vice-Chairman) * Dinesh Solanki
 (in the Chair) * Jeremy Zeid

Co-optees: † Mrs J Rammelt * Reverend P Reece

Parent Governor * Mr R Chauhan * Mrs D Speel
 Representatives:

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

[Note: Councillor Christine Bednell also attended this meeting to speak on the item indicated at Minute 4 below].

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

1. **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 Tony Seymour | Councillor Ashok Kulkarni |
| Councillor Mark Versallion | Councillor Robert Benson |

2. **Declarations of Interest:**

RESOLVED: To note that the following interests were declared:

| <u>Agenda Item</u> | <u>Member</u> | <u>Nature of Interest</u> |
|--|-----------------------------------|--|
| 4. Call-in of the decision of the Cabinet Meeting on 17 January 2008: Amalgamation of First and Middle Schools | Councillor Dinesh Solanki | Governor of Belmont Middle School |
| | Councillor Ashok Kulkarni | Governor of Roxbourne First and Middle School |
| | Councillor Mrs Lurline Champagnie | Governor of Hatch End High School |
| | Reverend P Reece | Chair of Governors of St John's Church of England School |

3. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, this meeting be called with less than 5 clear working days' notice by virtue of the special circumstances and grounds for urgency stated below:-

Special Circumstances/Grounds for Urgency: Under Overview and Scrutiny Procedure rule 22.6, a meeting of the Call-in Sub-Committee must be held within 7 clear working days of the receipt of a request for call-in. This meeting therefore had to be arranged at short notice and it was not possible for the agenda to be published 5 clear working days prior to the meeting.

(2) under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting whilst legal advice is given to the Sub-Committee, on the grounds that it was thought likely that there would be disclosure of exempt information under paragraph 5 of Part 1 of Schedule 12A to the Act, in that there would be

disclosure of information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

4. **Call-in of the decision of the Cabinet Meeting on 17 January 2008: Amalgamation of First and Middle Schools:**

The Cabinet had agreed at its meeting held on 17 January 2008 to undertake a consultation in response to parental representations in relation to West Lodge First and West Lodge Middle Schools. A call-in notice had been subsequently received, signed by 181 members of the public who were registered on the electoral role of the Borough, calling in the decision and this decision had therefore been referred to the Call-in Sub-Committee for consideration under the call-in procedure.

The Sub-Committee received the notice invoking the call-in procedure, the report of the Director of Schools and Children's Development submitted to Cabinet and the relevant minute extract.

The decision had been called-in on two grounds:

- inadequate consultation;
- insufficient consideration of legal and financial advice.

The Chairman, after outlining the procedure to be followed at the meeting, invited a representative of the signatories to speak.

Pamela Fitzpatrick, a member of the public representing the signatories to the call-in notice, put the case for the call-in. She referred to the details of the grounds outlined in the supporting information to the Call-in. She was of the opinion that the Middle School Governing Body had not been consulted on the proposal, the timeframe for establishing the proposed Steering Group was unrealistic and could not be met, and the proposed consultation did not comply with the Statutory Guidance on the closure of a maintained school. It was her opinion that parents wished the matter discussed by the school, not determined by the Local Authority.

She further stated that West Lodge Middle School was a successful, over-subscribed school. She referred to the public criticism at the Cabinet meeting that the school had not followed procedure, advising it had submitted reports to the Steering Committee in accordance with the timetable and had attended all its meetings. However, the implication was that the school had done something wrong. The Local Authority had stated that it had taken action in response to parental representation, whilst the normal procedure was to send complaints to the Governing Body which had not been done. Mrs Fitzpatrick further considered that the Local Authority had failed to state which part of the statutory guidance to Section 14 of the Education Act 1996 had been triggered.

Mrs Fitzpatrick expressed the view that the Local Authority had not been neutral in its proposals and concluded that she believed any decision could be delegated to the Governing Body.

Upon being invited to respond, the Portfolio Holder for Schools and Children's Development explained that in accordance with the Council's Amalgamation Policy, the resignation of the Head of the Middle School had triggered the investigations undertaken. A Steering Group had produced a feasibility study and its findings were made available to the schools. West Lodge Middle School had voted against amalgamation and the West Lodge First School had voted in favour of amalgamation. The officers had been in contact with both schools to ascertain whether joint consensus of agreement could be reached and as a result had received written notification from both schools that their positions remained unchanged. Subsequently, an unprecedented volume of letters and emails from parents on the subject had been received and in accordance with the Education and Inspection Act 2006 the Local Authority was bound to take notice of the views of parents. The Portfolio Holder advised that some parents had indicated to her that they had not been aware of the importance of the decision.

The Portfolio Holder stated that the representative of the signatories had indicated that the schools should make the decision whether to amalgamate. However, due to the situation outlined above, the decision of the Cabinet was to ask the schools to repeat the consultation process. The Local Authority would accept the decision of the majority of those consulted, as it too wished the schools to make the decision.

She then explained that technical requirements required a decision to close one school and extend the other and for the issue of notices. The feasibility study had already been produced by the Steering Group and accepted as a valid document.

In conclusion, the Portfolio Holder stated that she believed there was sufficient time for consultation and that the correct route was through the Steering Group, with notification of the result to parents in April. She acknowledged that both schools were excellent schools and reminded Members that St Johns School had also gone through the process and agreed to amalgamation, whilst Belmont First and Middle Schools had gone through the process and not agreed to amalgamation.

In response, Mrs Fitzgerald informed the meeting that the First School had not accepted the findings of the feasibility report. In her opinion the decision-making had now been removed from the schools to the proposed Steering Group, which she considered would be dominated by officers of the Council with only one Governor from each school. Therefore, she did not consider it would be an independent process. She repeated that each school made a decision but, were then advised by the Council that they had not followed procedure. It was her opinion that parents had then written in following the decisions reached as a result of a campaign undertaken, but that this did not invalidate the decision reached.

In response to questions from Members of the Sub-Committee, clarification was provided on the following issues by the Portfolio Holder:

- the legislation gave the option to close both schools and open a new school or close one school and extend the range of the other. However, Local Authorities were required to apply to the Secretary of State for consent to establish new schools without a competition. This was not considered appropriate for these successful schools. Notification had been received from the Secretary of State to enable one school to be closed and the age range of the other extended;
- jobs would be ringfenced to the existing staff within the Schools. The Local Authority also anticipated that the Governing Bodies would choose to resign and a new Governing Body constituted, which would be representative of all stakeholders and parents;
- she was not aware of the system utilised by the Governing Bodies for the calculation of votes and acknowledged that a large number of parents had children at both schools;
- the issue would have to be submitted to Cabinet irrespective of the decision to be taken;
- the Steering Group would comprise three representatives from each school (it was suggested that this be made up of a Governor, staff member and parent representative, however the makeup of representatives remained a decision for each school), three independent persons with no connection to either school, and a Chairman;
- if the decision of the majority of parents and stakeholders was not to amalgamate and justifiable reasons were stated, the LEA would accept the decision.

In response to questions from Members of the Sub-Committee, clarification was provided on the following issue from the representative of the petitioners:

- there had been meetings with parents and staff and joint meetings of both schools at the start of the process. However, as the First School did not attend the meeting on 30 October and did not reengage with the process within a reasonable period, the Middle School made its decision and response to the local authority.

The Chairman thanked Mrs Fitzpatrick for presenting the issue on behalf of the petitioners, and the Portfolio Holder for their attendance.

Members of the Sub-Committee, having considered all the evidence, summarised their views relating to the grounds for call-in. The Sub-Committee made the following suggestions for information purposes:

- the ongoing consultation and Steering Group deliberations should be transparent and open;
- the composition of the Steering Group should be demonstrably independent, with sensitive consideration as to who chairs the Steering Group;

- that it would be helpful if a timeline was produced indicating what would take place and by whom.

The Sub-Committee also expressed its hope that the schools and the Local Education Authority should continue to work together to clarify and resolve the concerns that had arisen.

On being put to the vote, the majority decision was that the challenge to the decision should be taken no further and the decision could be implemented.

RESOLVED: That the challenge to the decision should be taken no further and the decision may be implemented.

(Note: The meeting having commenced at 7.30 pm, closed at 9.28 pm)

(Signed) COUNCILLOR MITZI GREEN
Vice-Chairman (in the Chair)

THE CABINET,
CABINET ADVISORY PANELS
AND
CONSULTATIVE FORUMS

CABINET

REPORT OF CABINET

MEETING HELD ON 17 JANUARY 2008

Chairman: * Councillor Chris Mote

| | |
|--|--|
| <p>Councillors:</p> <ul style="list-style-type: none"> * David Ashton * Marilyn Ashton * Mrs Camilla Bath * Miss Christine Bednell * Susan Hall | <ul style="list-style-type: none"> * Janet Mote * Paul Osborn * Mrs Anjana Patel * Eric Silver |
|--|--|

* Denotes Member present

[Note: Councillor Mrs Sasi Suresh attended the meeting to speak on the item indicated at Minute 346 below. Councillors Mrs Margaret Davine, Keith Ferry and Paul Scott attended this meeting to speak on the item indicated at Minute 347 below. Councillor Mark Versallion attended the meeting to speak on the item indicated at Minute 349 below.]

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

342. **Declarations of Interest:**

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

343. **Minutes:**

RESOLVED: That the minutes of the meeting held on 13 December 2007 be taken as read and signed as a correct record.

344. **Arrangement of Agenda:**

The Chairman stated that he intended to re-order the agenda and take item 11 – Amalgamation of First and Middle Schools – early to allow the majority of members of the public present for that item to leave the meeting early if they so wished. He added that public questions which did not relate to West Lodge First and West Lodge Middle schools, namely public questions 3, 4 and 13 would be taken first under item 5 – Public Questions. A time limit of 15 minutes would be allowed in this instance. Thereafter, item 11 would be discussed, at the end of which all questions relating to the West Lodge First and West Lodge Middle Schools would be answered provided these had not been answered, during the discussion on the item. A further 15 minutes would be allowed for these questions. All public questioners would be given an opportunity to ask a supplemental question.

For reasons of clarity the minutes of this meeting are recorded in the order set out on the agenda.

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

345. **Petitions:**

1. A local resident, Ms Lyn Cook, presented a petition containing 301 signatures on behalf of the parents of pupils studying at West Lodge First and West Lodge Middle Schools. The petition had been signed by the parents at the school gates. The terms of the petition were as follows:-

“We are FOR the amalgamation of West Lodge First and Middle Schools.

If the governing body vote against amalgamation we request the following:-

- The evidence to be presented to us.
- The governors to be held accountable in an open meeting.”

RESOLVED: That the petition be received and referred to the Portfolio Holder

for Schools and Children's Development for consideration.

(See also Minutes 346 and 352).

2. Councillor Sasikala Suresh presented a petition signed by 1,178 residents and businesses in Marlborough and Headstone South Wards. The terms of the petition were as follows.

"Owing to the lack of parking facilities for local shops located in Headstone Drive, Harrow View and Headstone Gardens, we, as owners of retail businesses, propose that the Council of London Borough of Harrow provide lay-bys on the large paving area in front of the shops with a pay and display scheme to allow customers to park and shop. This scheme has been successfully implemented in local shopping areas of:-

- A. North Harrow
- B. Rayners Lane
- C. Pinner
- D. South Harrow.

By signing the petition you are helping in the revival of local shopping, at your convenience."

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

3. Councillor Chris Mote presented a petition signed by 208 people to keep Byron Skate Park. The petition included a summary and background. The terms of the petition were as follows:-

"We, the undersigned, are concerned citizens who urge our leaders to act now to save the Byron skate park from demolition".

RESOLVED: That the petition be received and submitted to the Portfolio Holder for Community and Cultural Services for consideration.

346. **Public Questions:**

RESOLVED: To note that (1) the following public questions had been received;

(2) all public questions, except questions 3, 4 and 13, were answered by way of a statement made by the Portfolio Holder for Schools and Children's Development during the discussion on West Lodge First and West Lodge Middle schools (Minute 352 refers);

(3) questioners 1, 2, 3, 5, 8, 11, 12 and 13 asked supplemental questions, which were duly answered.

1.

Questioner: Fiaz Premji

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

Question: What (please quantify) financial, people and other resources would be made available by the Borough to support the amalgamation if it was to proceed?

Answer: See statement made at Minute 352.

Supplemental Question: One of the concerns that was a factor in some people not wanting to support the amalgamation was a fear that the combined budgets of the amalgamated school would be less than the sum of the individual budgets of the existing schools. Could somebody clarify that this is not an exercise to try and reduce the budget of the users?

Answer: I believe the figures were laid out very clearly in the feasibility study in terms of what the differential would be, but the feasibility study by

the steering group actually points out that the net gain in terms of the budget is quite small, because the only saving is in fact the salary of the school and there is a slight reduction in the standard payment for the two schools but one outweighs the other and it is a net gain for the school, but it is not a big amount either way.

Could I just add to that this is in no way a cost saving proposal.

2.

Questioner: Michael Senior

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

Question: In written information provided to parents of West Lodge Middle School, the Middle School Governors have presented misleading information.

Three examples of this are:

1. In a letter from Middle School Governors to Parents dated 14 December 2007, the Middle School Governing Body stated that Harrow Local Authority wish to amalgamate schools to create 'economies of scale' and that this message has been given by the LA on 'frequent' occasions. They provide no evidence or source for the 'frequent' messages from the LA who, the Middle School clearly believe, have few educational reasons and are governed by cost cutting measures.
2. In the same letter, Governors stated that one reason not to amalgamate is because two heads in Harrow, that were in charge of schools that had amalgamated, resigned within a year. Both heads referred to have complained formally about being used as evidence because both had personal reasons for moving on from their posts which had nothing to do with amalgamation.
3. Middle School Governors put in writing in their letter on 14 December that the LA are attempting to rely on 'draconian power to close the school'. The Middle School Governors were accused of scaremongering at their open meeting on 8 January 2008 when claiming that the school needed to be saved from closure.

My question is, what can the local authority and parents do to make a governing body act more professionally and if the Governors refuse what steps can then be taken?

Answer: See statement made at Minute 352.

Supplemental Question: I wondered whether or not you would consider having no member that was on the steering group that was previously broken down would be allowed to go on the new formed steering group as you suggested and that would include the governors of both First and Middle Schools with all due respect to those people?

Answer: Can I come back on that one but, as I have said, I believe these are decisions that are up to West Lodge First and West Lodge Middle Schools to decide. You will decide who represents you on the steering group and I would not presume to suggest who should or should not be representative of you on that group.

3.

Questioner: Brian Stoker

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

Question: What is the process for members of the public, and Councillors, to

submit corrections to Cabinet meeting Minutes, for the Public Questions and Councillor Question Time sections of a Cabinet meeting?

Specifically the Minutes of 13 December meeting do not correctly reflect the supplemental question by Councillor Paul Scott concerning Cedars Hall, or the answer from the Chairman, (apparently no recording is available, only notes by the public and press) and there does not seem to be a mechanism for the public to advise the Cabinet of corrections to the Minutes.

Answer: Can I just say that, I did announce at the last meeting that the meeting would be recorded. Can I say that unbeknown to us that recording system failed. It is being attempted again tonight with a new system that we have got here. So hopefully, that will work and a word record will be kept.

The answer to the question is that if a member of the public believes that an amendment to the minutes of any Cabinet meeting is required, they should raise that with a member from Democratic Services prior to the meeting at which the minutes are due to be considered and approved. Democratic Services will then ensure that the suggested amendment is brought to the attention of the Chairman of the Cabinet, namely the Leader of the Council.

The approval of those minutes or any amendments to those is a matter solely for the Cabinet to then so determine.

Supplemental Question: It doesn't address the specific point about the inaccuracy of 13 December minutes. Could you just say something more about what will done to get the accuracy of those minutes correct and to properly reflect the comment I referred to in the question?

Answer: What I will do is, I am happy to look at what was there and what was the record that was given and if it is I will put it to out my Members and they can therefore modify it, which they can do at a later stage.

I can say no more than that, because I don't exactly know what the words that were there at this point.

That's the supplemental and that's the answer. Yes, you can come and speak to me separately. I suggest that if you have an amended change that you want to put in, put it in writing, let me have it and that way it can be looked at and so we can compare it with what we have.

4.

Questioner: Yvonne Lee

Asked of: Councillor Eric Silver, Portfolio Holder for Adult Services

Question: Harrow Mencap acknowledges that the Council has always said it will meet with the volunteer sector around the provision of services. Following the results of the Judicial Review will the Council now meet with representatives of the voluntary sector on ways to meet the needs of Vulnerable adults?

Answer: We are always pleased to meet with the voluntary sector. In fact, the new Corporate Director for Adult Services, Paul Najsarek, has met with a range of voluntary organisations in his first few weeks in post to discuss future plans for the service.

The Divisional Director of Community Care meets regularly with voluntary organisations with an interest in adult services.

Harrow Association for Disabled are working with the Council on future plans to ensure we meet our disability equality duties.

We are always happy to listen to suggestions for improving our partnership with voluntary organisations.

5.

Questioner: Mrs Nora Costello

Asked of: Councillor Christine Bednell, Portfolio Holder for Schools and Children's Development

Question: In light of the inappropriate campaign being run against West Lodge Middle School Governors and Staff because of their legitimately taken decision not to amalgamate, would the Council think it right and proper to honour their statement "that if one or other School chose not to amalgamate, then amalgamation would not go ahead" thus allowing the Schools to continue doing what they do best - teaching children - without further interruption.

Answer: See statement made at Minute 352.

Supplemental Question: The amalgamation process is about tearing a very nice school that has always taught the children in the community very well apart and I feel that the whole process has been really quite disturbing and some people have behaved in a manner which is really very inappropriate and my concern is that new steering groups and committees are not going to change that. They will just prolong what is going on right now and I do not think this amalgamation is very pleasant and I do not think that the schools should amalgamate.

Answer: I think that this evening gives everyone a chance to take a deep breath, take a step backwards and then move forward in a cooperative and constructive way. At least if it does not, and I hope it does, it jolly well should do.

6.

Questioner: Mrs Amanda Harkness

Asked of: Councillor Christine Bednell, Portfolio Holder for Schools and Children's Development

Question: As I understand it, according to the provisions of the Education & Inspection Act of 2006 there are now two routes by which West Lodge First and Middle Schools can be amalgamated. Either both schools are closed and one new school opened in their place, or, close one school and extend the age range of the remaining school. Of these two, the preferred route would be to close one school and extend the age range of the other so avoiding having to apply to the Secretary of State for consent to establish a new school without competition.

If this route is taken can the Council please confirm that the parents of both "old" schools will be given the opportunity to elect a completely new Governing Body for the extended school?

Answer: See statement made at Minute 352.

7.

Questioner: Andy Lane, Chair of Governors, West Lodge First School

Asked of: Councillor Christine Bednell, Portfolio Holder for Schools and Children's Development

Question: Given that both governing bodies of West Lodge have come to two different decisions on amalgamation can the Cabinet agree to go further than consult with stakeholders and carry out a full ballot of all stakeholders in an open and transparent process?

Answer: See statement made at Minute 352.

8.

Questioner: Pamela Fitzpatrick, Chair of Governors, West Lodge Middle School

Asked of: Councillor Christine Bednell, Portfolio Holder for Schools and Children's Development

Question: For the Local Authority to embark on a formal consultation is to undermine the Governing Bodies and to renege on the undertaking given by officers that the decision would rest with the Governing Bodies.

Would it not be best for the Local Authority to support the Governing Bodies of the two Schools and allow each of them to determine the strategic direction with regard to amalgamation?

Answer; See statement made at Minute 352.

Supplemental Question Can I just say to Miss Bednell that I do very much resent your implication that our governing body has acted improperly. We've put in a huge amount of effort (I'm not sure you're aware) for ensuring that we've behaved properly and that we've followed all the procedures. As a Middle School governor, I spent a lot of time doing that. I do resent that implication very much, let me make that clear. And therefore I would ask you that given there's been no actual proper investigation of how we have conducted ourselves as a governing body and there's been no clear finding against us, isn't it therefore somewhat premature of Cabinet to withdraw the delegation to ask them to make the strategic decision on the future of our School?

Answer Dr Lucas, I'm sorry that you resent what I've said. I am well aware that you and other governors of both schools have put in an enormous effort into your deliberations but I don't think anyone can deny that many, many parents, and these are parents of both First and Middle School children have been dissatisfied with the way things have been done. It's not me who's saying it, it's parents from both schools and I really think we are not taking the responsibility away from you, we are giving it to you and asking you to make a decision in a clear and transparent manner and I am quite confident now you've had time to think about it that's what you'll do, but I think there is no doubt that the Middle School took a decision against amalgamation before the feasibility study, with the pros and cons, had been published, which makes one have some concerns.

9.

Questioner: Sasha Birkin

Asked of: Councillor Christine Bednell, Portfolio Holder for Schools and Children's Development

Question: At the West Lodge Middle School meeting last week, parents were informed by the middle school governors that Harrow Council had no available budget to fund the amalgamation process. The feasibility report stated that upwards of £500,000 would be required. This is obviously a key issue - please could Harrow Council confirm exactly what their position is in relation to funding?

Answer: See statement made at Minute 352.

10.

Questioner: Mrs Jayne Grant, Inclusion Manager, West Lodge First School

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

Question: Is Harrow's strategic vision to be in line with neighbouring authorities and create through Primary schools?

Answer: See statement made at Minute 352.

11.

Questioner: Mrs Aydee Hawker, Support Staff, West Lodge First School

Asked of: Councillor Janet Mote, Portfolio Holder for Children's Services
Potentially asked of Christine Bednell

Question: If amalgamation does not happen and the age of transfer changes by 2010, what are the implications for West Lodge First School staff? (i.e. a quarter of the budget would be lost which equates to potentially 20-25 staff members losing their jobs)

Answer: See statement made at Minute 352.

Supplemental Question With the fact that you mention that staff would be relocated in the borough we are talking about at least 20-25 members of the first school staff and we are not the only school in that position. Come 2010, our concern is there will be a lot of employees of the LBH in education and schools looking for positions.

Answer I don't know whether Heather Clements will want to say something after what I'm going to say but I don't think that we're going to have any difference in the number of children requiring to be educated. They might be in a different sector, and either be in the secondary school sector as it would be or in a junior school but there will still be the same number of children and so the same number of teachers will be required. There might be some shifting of sectors but we will still need the same number of teachers.

If the amalgamation does not go ahead, than staff would need to be redeployed into the Middle School if Year 3 moved in. We acknowledge that it will be challenging and we will need to work closely with Teachers' Unions and other Union representatives.

12.

Questioner: Mrs Laura Dolling, Assistant Headteacher, West Lodge First School

Asked of: Councillor David Ashton, Deputy Leader and Portfolio Holder for Finance & Portfolio Coordination

Question: Taking a longer-term view, should amalgamation not happen this time, if the Head of First School or a newly appointed Head of Middle School resigns, would the amalgamation process re-start?

Answer: See statement made at Minute 352.

Supplemental Question: As Middle School have actually advertised for a new Head, how would the appointment be affected by the decision made?

Answer: We have advised the Middle School governing body that, depending on the decision made by Cabinet, we would recommend putting the process on hold pending consultation. They can proceed if Schools do not amalgamate.

13.

Questioner: Ann Freeman

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

Question: What is the timetable for the Council reconsidering the FACS criteria policy in light of the Judgement in the High Court, please?

Answer: The Council treats the Court's decision very seriously. We do take that very important what the Court says.

We are currently reflecting on the Court's decision and the best way forward.

We will ensure that all Councillors receive training – this is very important - in our disability equality duties to aid future Council decisions in all areas of our work.

Supplemental Question: When will the decision to change the criteria to critical only be reconsidered?

Answer: We will be looking at the equalities situation and look at what the Court said and then we will actually do the training first, so I cannot give you an actual time. It is very important we do this correctly; that all Councillors learn about the equality and disability act. It is very important that, before we take any decision or do anything that we do this first. Please do keep in touch.

[Notes: (i) Questioners 3 and 8 were not present at the meeting. With the agreement of the Chairman, Dr Alan Bender and Dr Ben Lucas asked the questions on their behalf respectively;

(ii) under the provisions of Rule 16.3, the Leader referred question 13 to the Portfolio Holder for Adult Services for response;

(iii) responses to supplemental questions, asked by questioners 1 and 11, were provided by the Director of Schools and Children's Development and the Portfolio Holder for Schools and Children's Development;

(iv) a response to the supplemental question asked by questioner 12 was provided by the Director of Schools and Children's Development].

347. **Councillor Question Time:**

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

1.

Questioner: Councillor Navin Shah

Asked of: Councillor David Ashton, Deputy Leader and Portfolio Holder for Finance & Portfolio Co-ordination

Question: Could Councillor Ashton give the costs incurred up to present time of defending the FACS judicial review case breaking it down as follows:

- (i) Cost of outside legal advice such as senior counsel, junior counsel, solicitors etc.
- (ii) The costs awarded by the Court to be paid to the 'other side'
- (iii) An estimate of the cost of the internal staff time.

Answer: (i) Outside legal costs:
Junior counsel - £24k
Senior counsel - £56k
(These costs include work until the hearing on 21/11/07. Final invoice is awaited for subsequent work)

(ii) We have yet to be advised of the value of the costs we have to pay the claimants. All we know is that it will be 20% of their costs because the Court found for us in 4 out of 5 points.

(iii) There are no extra internal costs over and above the time that staff spent on the case as part of the their ordinary work.

Supplemental Question: Would you agree with me that the costs just given amounting to £80K plus another sum yet to come, plus the £184k of legal costs for

the aborted planning appeal for the Honeypot Lane site amount to £264k and this is equivalent to 0.228% of the Council Tax?

Answer: Can I say on the supplemental it can only be related to the question therefore the part of the Honeypot Lane will not be considered in that part. You're asking for a mathematical confirmation that those figures relate by X to the Council Tax, clearly the case. It is an irrelevant point. The Council has to go through an appropriate process when forced to do so via the lousy funding we've received for many years, including under your administration, and in that circumstance it's appropriate and responsive to any administration, ours in particular, to look at ways that we have to factor all aspects of activity and services into our budget, and that includes looking at things which are obviously very sensitive and the subject to potential judicial review. Some cases go for you; some cases go against you. So there can be no inference whatsoever as to the cost incurred. None whatsoever.

2.

Questioner: Councillor Margaret Davine

Asked of: Councillor David Ashton, Deputy Leader and Portfolio Holder for Finance & Portfolio Coordination

Question: With no ifs or buts the Council has been found to have acted unlawfully in its attempt to provide only for the social care needs of those who are deemed to be 'critical' and not for those deemed 'substantial'. Will Councillor Ashton admit that the Council has made a serious mistake and apologise, in particular, to all those vulnerable and elderly people affected by this as well as and also to all local residents for enormous sums of money wasted on legal costs incurred in trying to defend the Council's unlawful action.

Answer: To an extent, the points mentioned previously apply. As an administration, we made what we felt to be a reasonable decision. We are pleased the decision was not quashed. The Court found in the Council's favour on 4 out of 5 areas under review.

I don't think an apology is appropriate. An apology should have come from the government and our two MPs for putting us in an invidious position which none of us want to find ourselves in.

Supplemental Question: My main concern is for those elderly and vulnerable people who are left somewhat confused by the whole process and if there's no apology can there be a statement that goes out to them, and I'm really pleased to hear you're going to be reflective and deem the best way forward and not rush forward on a third of the decision, but can there be some kind of information that goes out to all our residents receiving social care making absolutely clear to them that nothing has changed since October 2006 in the way they are assessed and can be assessed for both critical and substantial, for the duration of the rest this year, or however long that is.

Answer: I understand the point being made, what I will do is undertake to speak to Councillor Silver as Portfolio Holder and Paul Najsarek as Director of Adult Services to determine what is an appropriate communication.

3.

Questioner: Councillor Navin Shah

Asked of: Councillor David Ashton, Deputy Leader and Portfolio Holder for Finance & Portfolio Coordination

Question: At the Cabinet meeting on December 13 a draft revenue budget was presented which still had a funding gap of £4.2 million for the financial year 2008/2009. A series of stakeholder meetings have been arranged to listen to stakeholders' views on the proposed budget proposals and the vast majority of these are due to take

place in January. As no announcement is likely to be made before the end of January of how the £4.2 million funding gap is to be dealt with, how can these consultations be in any way meaningful?

Answer: As you will appreciate, the budget process is complex and challenging. Harrow is a low spending Council, with low levels of government support, and has made very substantial savings in the last few years – it's becoming increasingly difficult.

As an administration we are still looking at a number of options for closing the remaining funding gap and we will share the information with you when the time is right. In previous years, the Labour administration produced very little detailed proposals about the budget. We have been open and transparent and, if you look at the Cabinet papers, there were detailed analysis set down for all to read.

We are carrying out consultation and sharing information about the budget in a number of ways:-

- consulting on priorities via the new Residents' panel;
- working with the Open Budget Group;
- public question time next week;
- a series of stakeholder meetings.

In addition Overview and Scrutiny (includes members of the Open Budget Group to make it even more open) have established a standing review of the budget to look at longer-term issues.

Findings from all these meetings will be reported to Cabinet in February along with the final budget proposals and all that contrasts with not just a limited amount of information but in fact a complete dearth of information in the comparable budget of the last Labour administration.

Supplemental Question: Once we've had Cabinet in February, will there be any chance of future consultation between then and when the budget's set?

Answer: By definition, that which goes to February Cabinet, is voted on by Cabinet. There will be and there are consultations in the meantime and to the extent that there are discussions and feedback between Cabinet and Council. There are frequently changes between Council and Cabinet, as you well know, up to the very last minute. So the answer is yes.

4.

Questioner: Councillor Paul Scott

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

Question: You have mentioned in recent statements that the Council is "ruling nothing out" for the Cedars Hall site. What weight do you give to the comments which have been made by residents at the meeting at Kingsley School in October and regarding the withdrawn planning application as many of these were wide-ranging and strongly held?

Answer: Clearly the Administration's decision making in respect of this matter has already placed significant weight on the views of these residents in actually going for what they asked for.

Cabinet has asked officers to present a report to Cabinet which considers all of the options (and all opinions) relevant to this location – and I am confident that our officers will respond accordingly.

I am currently targeting April Cabinet for consideration of the report.

Supplemental Question: This is a general comment to make sure that all Cabinet Members are aware that, I'm sure Councillor Bath will provide comments back to them, and there are still comments available from the planning application, so when it does come back, there is a chance to look

again at what needs to be done.

Answer: In reply to that, there is a report coming back from the officers taking all the consultation parts into account. It will be there for all Members to read to come to a cognitive decision.

5.

Questioner: Councillor Paul Scott

Asked of: Councillor Marilyn Ashton, Portfolio Holder for Planning, Development and Enterprise

Question: In its discussions with Metroline and Transport for London, has the Council ruled out using any of the land currently belonging to Harrow Weald Recreation Ground to allow the expansion of the bus garage on the High Road?

Answer: In its discussions with Metroline and Transport for London, the Council ruled out use of the land belonging to Harrow Weald Recreation Ground to allow expansion of bus garage in the High Road. The parking of buses on the highway around the Harrow Weald Bus Station causes congestion for other road users and introduces potential road safety hazards which need to be avoided.

Metroline are considering how they could develop the existing bus garage to meet current and future needs of this important Public Transport facility.

Metroline wish to engage with the Council to consider how this could be best taken forward.

Any suggestion which may include the use of Council property would need to be supported by an overall improvement of public facilities in the vicinity.

Any decisions involving the disposal of Council property would therefore have to be carefully considered by Cabinet prior to any Planning Applications being determined.

[Notes: (i) Councillor Navin Shah was not present at the meeting. With the agreement of the Chairman, Councillor Keith Ferry asked questions 1 and 2 on his behalf. He also asked supplemental questions, which were duly answered;

(ii) question 5 was answered by the Portfolio Holder for Strategic Overview, HSP, External Affairs and Property under the provisions of Rule 17.3].

348. **Forward Plan 1 January 2008 - 30 April 2008:**

RESOLVED: To note the contents of the Forward Plan for the period 1 January 2008 – 30 April 2008.

349. **Scrutiny Review of Partnership with Accord MP:**

Cabinet considered a report of the Corporate Director of Community and Environment Services, responding to the findings and recommendations of the Scrutiny Review Group that had investigated the first year's operation of the Accord MP Partnership with the Council to deliver the Borough's public realm infrastructure needs.

The Chairman of the Scrutiny Review Group thanked Cabinet for allowing this matter to be considered prior to its consideration by the Overview and Scrutiny Committee. This course of action would help avoid delay in implementing the recommendations of the Review Group. He was pleased to report that the recent reconfiguration of scrutiny and the new ways of working had allowed scrutiny to reap considerable benefits and help produce meaningful outcomes. Reconfiguration had allowed scrutiny to focus resources in a more effective way than before.

Cabinet was briefed on the report of the Scrutiny Review Group titled 'A Review of the Council's Partnership with Accord MP' and the process it had undertaken. The Chairman of the Review Group welcomed the genuine Partnership with Accord MP. He stated that he was supportive of the Chief Executive's drive for cultural change in the Council and outlined a number of lessons to be learnt from the Partnership that

would help achieve the change. He was firmly of the view that the Partnership had helped to release resources that could be used to process other priorities that had previously been set aside because of lack of resources. Alternatively, a reduction in the headcount might be possible. The Partnership had introduced economies of scale, which had allowed officers to concentrate on strategic and statutory areas.

Members' attention was drawn to the recommendations set out in the report of the Review Group. Its Chairman highlighted the key points from these recommendations, and thanked officers, Members who had participated in the Review, the Portfolio Holder for Environment and representatives from Accord MP for their work. He urged Cabinet to endorse the recommendations of the Review Group.

The Portfolio Holder for Environment welcomed this Review. She stated that scrutiny reviews were helpful and of immense value. She was proud of her Directorate and the Partnership, which had initially gone through a 'sticky patch'. She recommended the adoption of the report of the Scrutiny Review Group.

An officer informed Cabinet that such partnerships required a lot of work and significant cultural changes from all parties involved. They also took time to realise their full potential. He added that significant improvements in the Partnership with Accord MP had been made in the last six months.

The Leader of the Council welcomed the report, which was constructive, and the work done by scrutiny acting as a 'critical' friend.

RESOLVED: That (1) the findings of the review be noted;

(2) the recommendations be endorsed, and their implementation monitored by scrutiny.

Reason for Decision: To contribute towards the strengthening and development of the Council's partnership with Accord MP.

350. **Key Decision - Council Tax Base 2008-09 and Collection Fund:**

The Corporate Director of Finance introduced the report, which set out the calculation of the Council Tax Base for 2008-09 and the estimated financial position on the Collection Fund as at 31 March 2008. The Corporate Director advised Cabinet of the legal requirement for the Authority to calculate formally its Council Tax Taxbase for 2008-2009. She outlined key aspects of the report, including an explanation of the deficit, details of which were set out in the report.

The Portfolio Holder for Finance and Business Matters indicated that Harrow had one of the highest Council Tax collection rates in London. He took this opportunity to thank residents for their immediacy on this matter.

RESOLVED: That (1) the Band D equivalent number of taxable properties be calculated as shown in accordance with the Government regulations;

(2) the provision for uncollectable amounts of Council Tax for 2008-2009 be agreed at 1.5% producing an expected collection rate of 98.5%;

(3) subject to (1) and (2) above, a Council Tax Base for 2008-2009 of 85,466.5 Band D equivalent properties (being 86,768 x 98.5%), be agreed, allowing for payment in lieu of Ministry of Defence properties;

(4) an estimated deficit of £1,735,592 on the Collection Fund as at 31 March 2008, of which £1,365,043 was the Harrow share, be noted;

(5) an amount of £1,365,043 be transferred from the General Fund in 2008-2009;

(6) revised bad debt percentage rates be agreed.

Reason for Decision: To fulfil the Council's statutory obligation to set the Council Tax Base for 2008-2009 and make an estimate of the surplus or deficit on the Collection Fund by 15 January 2008.

351. **Strategic Performance Report - Quarter 2, 2007/08:**

Cabinet considered a report of the Corporate Director of Strategy and Business Support, which summarised Council and service performance against key measures and drew attention to areas requiring action.

The Portfolio Holder for Strategy and Business Support introduced the report and briefed Cabinet on the key aspects of the report, as set out in Appendix 1 to the report. The Portfolio Holder was pleased to report that the Council had made considerable progress in Quarter 2, and acknowledged the number of challenges it faced. In addition, the Corporate Plan, which would be submitted to February 2008 Cabinet meeting, would now form part of the budget process; a step change that would help to ensure that the budget process was robust. He welcomed the improved communication, and the positive local and national coverage Harrow was receiving, including the production of a further edition of Harrow People, which would be distributed to residents soon. The step change towards improved communication methods would help put Harrow on the map.

The Portfolio Holder singled out the Council's Benefits Service and the excellent work done by staff of which he was immensely proud. The Performance Indicators (PIs) of the Service were in the top quartile. He stated that the preliminary report of the preliminary report of the IDeA Peer Review Group had acknowledged that the Council was moving in the right direction and was making good progress.

Individual Portfolio Holders commended the work done in their Directorates and highlighted areas where performance needed improving. Of particular note were:-

- improvements to Access Harrow, some of which had been made from existing resources. Growth would help improve other areas of Access Harrow and a further report would be submitted to the February 2008 Cabinet meeting on this matter together with realistic targets;
- excellent status achieved by Harrow in dealing with major planning applications within 13 weeks. The Portfolio Holder for Planning, Development and Enterprise congratulated officers for the achievements made;
- excellent status in reducing the number of residential burglaries where the victim was over 75 years of age;
- carers' service users where performance had improved from poor to excellent status. The Portfolio Holder for Adult Services congratulated staff for their hard work;
- continued strong performance in relation to the Health of Children Looked After;
- the need to improve on the percentage of invoices paid on time and the use of the SAP system;
- getting Harrow on the map. Cabinet was informed of the forthcoming debate in the House of Commons where Richmond and Harrow Councils had joined forces to debate on the settlements received by local authorities. The Portfolio Holder for Finance and Portfolio Co-ordination thanked the Corporate Director of Finance and the Communications Team for promoting Harrow. The Leader of the Council referred to the lobbying that the carers' groups also intended to do in relation to grants given by the government.

The Portfolio Holders for Housing and Community and Cultural Services outlined the issues in their areas and the measures that had been put in place for improvements. The Portfolio Holder for Schools and Children's Development congratulated teachers, parents and pupils for achieving excellent GCSE exam results.

In summing up, the Portfolio Holder for Strategy and Business Support acknowledged the areas that needed improving and which had been recognised by individual Portfolio Holders. He was proud that the administration and individual Portfolio Holders had taken responsibility and ownership of these areas with a view to driving improvements. The Leader of the Council echoed his sentiments and thanked officers and Members for their hard work.

RESOLVED: That the report be noted and the Portfolio Holders work with officers to achieve improvement against identified key challenges and receive monthly updates.

Reason for Decision: To note performance against key measures and to identify and assign corrective action where necessary.

352. **Amalgamation of First and Middle Schools:**

Prior to the consideration of the report, the Leader of the Council/Chairman clarified that Cabinet was not being asked to take a decision on the amalgamation of the schools, as had been incorrectly reported in the local press. He referred to the communications received from parents, teachers and governors of the schools, particularly in relation to West Lodge First and West Lodge Middle schools, details of which had been made available to all Members of Cabinet. Additionally, a letter from the West Lodge Middle School Governing Body, sent to all Members of Cabinet by the Chair of Governors, had also been circulated at the meeting to Members of Cabinet.

The Director of Schools and Children's Development introduced the report, which outlined the processes undertaken by the Governing Bodies of West Lodge First and West Lodge Middle Schools and Belmont First and Belmont Middle Schools' Governing Bodies to investigate and consult with parents on amalgamation and the outcome of the Governing Bodies' decisions. She drew attention to the recommendations set out in the report and outlined the reasons for making those recommendations to Cabinet.

The Portfolio Holder for Schools and Children's Development stated that the education and the welfare of the children in the schools referred to in the report was of paramount importance. She was confident that all those present at the meeting would agree with her, and that, in taking the decision, this point should be at the forefront of everyone's mind.

The Portfolio Holder added that Members were aware of the dissatisfaction and the differing views in relation to West Lodge First and Middle Schools. The number of letters received in relation to these schools was unprecedented. She took this opportunity to respond to public questions by way of a summary response rather than respond to individual questions because of the similarity in the questions and to avoid delay in dealing with the questions individually. She stressed that everyone's concerns ought to be taken seriously.

The following summary response was read out by the Portfolio Holder for Schools and Children's Development in relation to the public questions received:-

1. "A number of issues have been raised through questions and I propose to respond to these collectively.

The Local Authority is the authority vested in this Cabinet and in this Council and the Local Authority has been asked what support it would provide for the amalgamation process. If the amalgamation were to proceed the Local Authority and the schools would establish a working group that would address key issues to move from two separate schools to a combined school. These areas include:-

- School Finance - establishing a single school budget.
- School Workforce - developing a staffing structure based on the needs of the combined school and a process to make appointments in good time and this is the whole workforce, not just teaching staff.
- Teaching and Learning – they would identify and address school management issues including curriculum and pastoral needs of pupils.
- Site Issues – the working group would review and develop proposals to address the site issues, identifying and prioritising areas for capital investment within available resources.

The level of support would be determined through discussion with the Governing Bodies and Headteachers, in particular the substantive Headteacher.

2. The Local Authority has sought advice from the DCSF about how they or parents can act when they believe that governors are not acting in the best interests of the school community and their advice is that the Local Authority

cannot intervene unless governors act outside the law. Parents can only bring about change by making their views known to governors or by becoming members of the governing body themselves.

5. We have been asked two questions relating to the issue of why we have chosen not to honour our commitment to allow Governing Bodies to make the decision. It is the Council's policy to delegate the responsibility to make a decision to governors and this remains our policy. However, the duty of the Council is to ensure that this process has been done in a fair and transparent way according to its policy and further to ensure that the views of parents and stakeholders have been taken into account. As set out in the Cabinet papers, we do not believe this is the case in this instance.

The Council have not undertaken this intervention lightly. If there is a strong weight of opinion against amalgamation then Cabinet will take due consideration of that, and I might point out that another school mentioned in the papers, namely Belmont First and Belmont Middle Schools decided against amalgamation and that has been accepted.

6. Cabinet will decide whether to undertake a consultation in response to parental representations in favour of amalgamation, and report the outcomes to April Cabinet. Should the outcome of the consultation favour amalgamation, the approach being considered for West Lodge First and Middle Schools is to publish statutory notices to close the Middle School and to extend the age range of the First School. This is in order to achieve a speedy resolution to the issues for the schools.

An important consideration in taking forward this approach will be to achieve a newly constituted governing body for the school. This is under active consideration, and will require the cooperation of governors to ensure appropriate representation is established on the governing body. The existing governing body is not required to resign in part or in full or to reconstitute, but the Local Authority would encourage a measured approach to creating a new governing body as a way of facilitating the amalgamation process. In this case there would be an opportunity for parents of the combined school to stand for election. Open and transparent processes and opportunities for elections will be sought.

7. Another question was will the local authority carry out a full ballot of all stakeholders?

Depending on the decision of Cabinet this evening we will begin a consultation that will allow every parent and all other stakeholders including staff and governors to express their views.

9. If the amalgamation were to be implemented the working group would be tasked to consider, within the context of the Schools Asset Management Plan, what the priority site and accommodation investments are to support the successful organisation and identity of a combined school. For example, the focus on the entrance to the newly amalgamated school.

The funding available for investment will come from a range of sources including the (DCSF) Primary Capital Strategy, which commences with effect from April 2009 and one of the priorities that the local authority will seek to address are temporary classrooms. Other sources of funding are the Schools Devolved Formula Capital and Modernisation Funds from the Council's Capital programme. At this stage it is not possible to quantify the level of capital investment, as the priorities for the possible new combined schools have not been assessed or agreed.

10. Harrow's Amalgamation Policy says:

In preparation for a change in the age of transfer, Harrow has an amalgamation policy. This will establish combined schools. Combined First and Middle schools are more aligned with National Curriculum Key Stages and the impact of the change in age of transfer will be reduced. It also enables the processes to be undertaken within current school development planning and funding opportunities.

At the point of implementation of a change in the age of transfer to High School, any schools that are still separate First and Middle schools will

become separate infant schools (that would be Reception to Year 2) and junior schools (Year 3 to Year 6).

This policy, that is the Council's amalgamation policy, sets out how the change towards more combined First and Middle Schools in Harrow is to be implemented.

Thus it is intended to align the schools to the majority of local authorities nationally and in particular with our neighbouring authorities, to National Curriculum Key Stages, to minimise the impact of the Change of Age of Transfer and reduce the points of transition.

11. What are the implications of the change of age of transfer on staffing?

The implications are that there will be one year group or three classes fewer in the first school. This will mean reduced funding for the school since the Age Weighted Pupil Unit pays for the cost of teachers, teaching assistants, resources plus school running costs. This will impact on the school's budget and will need to be managed through reductions in staffing and other costs.

Wherever possible we will support the redeployment of staff from first schools to middle schools and from middle to secondary schools but clearly this will be very challenging.

12. If a vacancy in either Headship occurs in the future, the new amalgamation policy would come into force."

In relation to Belmont First and Middle Schools, the Portfolio Holder stated that the Council had accepted the decision against the amalgamation. The Belmont First School was now in the process of appointing a Headteacher and that process was required to be completed by April 2008.

With regard to West Lodge First and West Lodge Middle Schools, the conclusion drawn from the large number of communications received was that not all stakeholders had accepted the decision/consultation process. She added that should Cabinet approve the recommendations set out in the report, the consultation would be taken forward in an open and transparent manner and a Steering Group would be established. This Group would be made up of representatives from both Schools and independent members who had no links to the Schools. The Steering Group would be expected to examine the original feasibility study, examine the scope and decide if further information was required. The Group would then consult all stakeholders, examine the responses received and submit its proposal to Cabinet in April 2008. It was essential that all those consulted responded, as the decision would affect children who attended the schools now and in the future.

Prior to responding to any public questions that remained unanswered and any supplemental questions relating to the summary response provided, the Portfolio Holder thanked all stakeholders for their submissions on the proposals in relation to the Schools. She stated that, in relation to West Lodge First and Middle Schools, it was for the stakeholders to make the decision and for that decision to be made in a clear and transparent manner. The Portfolio Holder for Schools and Children's Services and, where appropriate, the Director of Schools and Children's Services provided responses to supplemental questions from public questioners 1, 2, 5, 8, 11 and 12 (Minute 346 refers).

RESOLVED: That (1) the outcome of the decisions of the Governing Bodies of West Lodge First and West Lodge Middle Schools be noted;

(2) in relation to West Lodge First and West Lodge Middle Schools, the Local Authority, in response to parental representations, undertake a consultation and report the outcomes to Cabinet;

(3) the outcome of the decisions of the Governing Bodies of Belmont First and Belmont Middle Schools in respect of amalgamation be noted;

(4) if a substantive Headteacher to Belmont First School was not appointed by April 2008, the Governing Body be requested to apply the Amalgamation Policy October 2007.

Reason for Decision: To decide on/confirm the decisions of Governing Bodies, as required by the revised Amalgamation Policy agreed by Cabinet in October 2007 to contribute to raising standards of achievement in Harrow and to establish a foundation for the implementation of a change in the age of transfer.

(See also Minutes 345 and 346).

353. **Key Decision - London Councils - London Borough Grants Scheme 2008-09:**

The Portfolio Holder for Community and Cultural Services introduced the report, which set out the proposals received from the London Councils' Grants Committee for expenditure in 2008-09. The Portfolio Holder briefed Cabinet on the key aspects of the report. She questioned the gain for Harrow and the way in which the grants were distributed. She considered the system to be unfair.

In response, the Leader of the Council undertook to raise these concerns at the Leaders' Committee.

RESOLVED: That (1) the above be noted and it be also noted that Harrow's contribution for 2008-09 would be £752,708;

Reason for Decision: To note/approve the recommended budget for 2008-09.

(Note: The meeting, having commenced at 7.30 pm, closed at 9.29 pm).

(Signed) COUNCILLOR CHRIS MOTE
Chairman

CABINET
ADVISORY
PANELS

**EDUCATION ADMISSIONS AND AWARDS
ADVISORY PANEL****2 JANUARY 2008**

Chairman: (Vacancy)

Councillors: * Mrinal Choudhury (Vice-Chairman) * Joyce Nickolay
(in the Chair)Advisers: Ms V Swaida
(Vacancy)

* Denotes Member present

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

On 2 January 2008, there were 6 children 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 these pupils to a school, where no place existed in the relevant year group.

Resolved to RECOMMEND:

That offers of admission to schools be made as follows:

| <u>Reference</u> | <u>Year Group</u> | <u>Admitting School</u> |
|------------------|-------------------|-------------------------|
| H133 | 9 | Bentley Wood |
| H134 | 9 | Harrow High |
| H135 | 9 | Rooks Heath |
| H136 | 10 | Nower Hill |
| H137 | 10 | Harrow High |
| H138 | 11 | Whitmore High |

[Note: Two additional cases were added to the agenda after case H136; these became cases H137 and H138 respectively].

PART II - MINUTES258. **Attendance by Reserve Members:**

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

259. **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.

260. **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:

| <u>Item</u> | <u>Special Circumstances / Grounds for Urgency</u> |
|------------------------------------|--|
| 9.(a) Admissions to County Schools | The applications detailed in this report were received after the main agenda was printed and circulated. Members were asked to consider the applications, in order to allocate an appropriate place to the applicants. |

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

-
- | <u>Item</u> | <u>Reason</u> |
|---------------------------------|--|
| 9. Admissions to County Schools | This item was considered to contain exempt information under paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972, in that it contained information relating to individuals. |
261. **Minutes:**
RESOLVED: That the minutes of the meetings held on 3 October, 19 October, 31 October, 14 November, 28 November and 12 December 2007 be deferred until printed in the next Council Bound Minute Volume.
262. **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).
263. **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).
264. **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).
265. **Admissions to County Schools:**
(See Recommendation 1).

(Note: The meeting having commenced at 2.35 pm, closed at 2.45 pm)

(Signed) COUNCILLOR MRINAL CHOUDHURY
Vice-Chairman (in the Chair)

**EDUCATION ADMISSIONS AND AWARDS
ADVISORY PANEL****16 JANUARY 2008**

Chairman: (Vacancy)

Councillors: * Mrinal Choudhury (Vice-Chairman) * Joyce Nickolay
(in the Chair)Advisers: Ms V Swaida
(Vacancy)

* Denotes Member present

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

On 16 January 2008, there were 8 children 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 these pupils to a school, where no place existed in the relevant year group.

Resolved to RECOMMEND:

That offers of admission to schools be made as follows:

| <u>Reference</u> | <u>Year Group</u> | <u>Admitting School</u> |
|------------------|-------------------|-------------------------|
| H139 | 9 | Canons |
| H140 | 9 | Nower Hill |
| H141 | 9 | Park High |
| H142 | 9 | Rooks Heath |
| H143 | 10 | Rooks Heath |
| H144 | 10 | Canons |
| P2 | 3 | Cedars Manor |
| P3 | 6 | Cedars Manor |

[Note: Two additional cases were added to the agenda after case H144; these became cases P2 and P3 respectively].

PART II - MINUTES266. **Attendance by Reserve Members:**

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

267. **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.

268. **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:

| <u>Item</u> | <u>Special Circumstances / Grounds for Urgency</u> |
|------------------------------------|--|
| 8.(a) Admissions to County Schools | The applications detailed in this report were received after the main agenda was printed and circulated. Members were asked to consider the applications, in order to allocate an appropriate place to the applicants. |

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

-
- | <u>Item</u> | <u>Reason</u> |
|---------------------------------|--|
| 8. Admissions to County Schools | This item was considered to contain exempt information under paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972, in that it contained information relating to individuals. |
269. **Minutes:**
RESOLVED: That the minutes of the meetings held on 3 October, 19 October, 31 October, 14 November, 28 November and 12 December 2007 and 2 January 2008 be deferred until printed in the next Council Bound Minute Volume.
270. **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).
271. **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).
272. **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).
273. **Admissions to County Schools:**
(See Recommendation 1).

(Note: The meeting having commenced at 2.30 pm, closed at 2.45 pm)

(Signed) COUNCILLOR MRINAL CHOUDHURY
Vice-Chairman (in the Chair)

**EDUCATION ADMISSIONS AND AWARDS
ADVISORY PANEL**
30 JANUARY 2008

Chairman: (Vacancy)

 Councillors: * Mrinal Choudhury (Vice-Chairman) * Joyce Nickolay
(in the Chair)

 Advisers: Ms V Swaida
(Vacancy)

* Denotes Member present

PART I - RECOMMENDATIONS
RECOMMENDATION 1 - Admissions to County Schools

On 30 January 2008, 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 these pupils to a school, where no place existed in the relevant year group.

Resolved to RECOMMEND:

That offers of admission to schools be made as follows:

| <u>Reference</u> | <u>Year Group</u> | <u>Admitting School</u> |
|------------------|-------------------|-------------------------|
| H145 | 9 | Nower Hill |

PART II - MINUTES

 274. **Attendance by Reserve Members:**

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

 275. **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.

 276. **Arrangement of Agenda:**

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

| <u>Item</u> | <u>Reason</u> |
|---------------------------------|--|
| 8. Admissions to County Schools | This item was considered to contain exempt information under paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972, in that it contained information relating to individuals. |

 277. **Minutes:**

RESOLVED: That the minutes of the meetings held on 3 October, 19 October, 31 October, 14 November, 28 November, 12 December 2007, 2 January and 16 January 2008 be deferred until printed in the next Council Bound Minute Volume.

 278. **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).

279. **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).

280. **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).

281. **Admissions to County Schools:**

(See Recommendation 1).

(Note: The meeting having commenced at 2.30 pm, closed at 2.37 pm)

(Signed) COUNCILLOR MRINAL CHOUDHURY
Vice-Chairman (in the Chair)

CORPORATE PARENTING PANEL

14 JANUARY 2008

Chairman: * Councillor Janet Mote

Councillors: * Mrs Margaret Davine * Eric Silver
 * Mitzi Green * Mark Versallion (4)
 * Paul Osborn

* Denotes Member present

(4) Denotes category of Reserve Member

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**21. **Attendance by Reserve Members:**

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

Ordinary MemberReserve Member

Councillor Mrs Myra Michael

Councillor Mark Versallion

22. **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.

23. **Arrangement of Agenda:**

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

24. **Minutes:**

RESOLVED: That the minutes of the meeting held on 8 October 2007 be taken as read and signed as a correct record.

25. **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).

26. **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).

27. **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).

28. **Harrow Position in relation to "Care Matters- Time for Change" White Paper:**

The Panel received an information report of the Corporate Director, Children's Services, setting out Harrow's current position in relation to the Government White Paper "Care Matters: Time for Change". An officer reported that, while Harrow was already operating some of the provisions of the White Paper, there were likely to be cost implications, the extent of which would depend on the amount of Government funding attached to the implementation of legislation. No details were currently known about this or about the timing of any legislation, but officers would keep the Panel informed of developments. Officers agreed to include a glossary of acronyms and terms in future reports.

RESOLVED: That the report be noted.

29. **Activity and Performance:**

The Panel received an information report of the Corporate Director, Children's Services, setting out key data relating to Children Looked After (CLA) and Children on the Child Protection Register (CPR), including key performance indicators up to the end of November 2007. The Panel noted the very good performance in several areas, including in the health of CLA, the stability of placements and the participation of CLA in reviews. Officers reported that the proportion of adoptions of CLA had increased since the report had been written, and this also demonstrated very good performance.

Officers agreed to provide an annual comparison with the performance of other boroughs and to repeat an analysis of carers' criteria relating to factors such as culture and religion.

RESOLVED: That the report be noted.

(Note: The meeting having commenced at 6.05 pm, closed at 7.15 pm)

(Signed) COUNCILLOR JANET MOTE
Chairman

CONSULTATIVE
FORUMS

**TENANTS' AND LEASEHOLDERS'
CONSULTATIVE FORUM (EXTRAORDINARY)****9 JANUARY 2008**

Chairman: * Councillor Mrs Camilla Bath

Councillors: * Don Billson
* Bob Currie

* Phillip O'Dell

* Denotes Member present

[Note: Councillor Susan Hall also attended this meeting to speak on the item indicated at Minute 108 below].

Tenants' and Leaseholders' Representatives

Representatives from the following Associations were in attendance:

Brookside Close Tenants' and Residents' Association
Eastcote Lane Tenants' and Residents' Association
Weald Tenants' and Residents' Association

In total 6 Tenants/Representatives attended.

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**103. **Attendance by Reserve Members:****RESOLVED:** To note that there were no Reserve Members in attendance at this meeting.104. **Declarations of Interest:****RESOLVED:** To note that the following interests were declared:

- (i) Agenda Item 6 – Kier Contract – Performance Issues on the Brookside Close, Eastcote Lane and Weald estates
Councillor Bob Currie declared a personal interest in that he attended monthly meetings of Brookside Close Tenants' and Residents' Association and Eastcote Lane Tenants' and Residents' Association. Accordingly, he would remain in the room when this item was discussed.

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

| <u>Item</u> | <u>Special Circumstances / Grounds for Urgency</u> |
|--|---|
| 6. Kier Contract – Performance issues on the Brookside Close, Eastcote Lane and Weald estates. | The answers to the questions which Tenants' and Residents' Associations raised in advance of the meeting were tabled as they were not available when the agenda was distributed. Members were asked to consider the information as a matter of urgency in order to have an informed discussion. |

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

106. **Minutes:****RESOLVED:** That the minutes of the meeting held on 29 October 2007 be deferred until the next ordinary meeting of the Forum.

107. **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).

108. **Kier Contract - Performance issues on the Brookside Close, Eastcote Lane and Weald estates:**

It was noted that the extraordinary meeting of the Forum had been called further to a request under paragraph 5 of the Forum's Terms of Reference to discuss the Performance Issues regarding the Kier contract on Brookside Close, Eastcote Lane and Weald estates.

At the request of the Chairman, all attendees introduced themselves.

A representative from Kier stated that he understood that there had been problems with the service provided to residents by Kier. The representative stated that Kier valued input from representatives of Tenants' and Residents' Associations. He noted that a dedicated Director and an improvement management team would be put in place in order to ensure the effective delivery of the Decent Homes Programme and to deliver an effective response maintenance service. The representative reported that he had met a number of residents and that Kier understood that the company needed to 'listen and learn' from residents.

Tenants' and Residents' Associations had been asked in advance of the meeting to submit questions regarding the performance of Kier on Brookside Close, Eastcote Lane and Weald estates. The answers to the questions were tabled at the meeting.

In response to questions raised by Members of the Forum, the representatives from Kier confirmed that:

- both long-term and short-term staff were employed to deliver the Decent Homes Scheme;
- continuity of work and management was required;
- communication both between Tenants and Kier and within Kier needed to be improved;
- full health and safety training was given to all staff employed by Kier as part of formal induction;
- there was a dedicated warehouse in Hayes to provide the appropriate materials for the delivery of the Decent Homes Works;
- complaints were logged, dealt with and monitored by Kier. This included complaints from residents who did not have access to an active Tenant' and Resident' Association;
- the Council were working closely with Kier to make improvements;
- properties would be visited twice a day by Resident Liaison Officers (RLOs), as part of quality control measures. RLOs would be easily contactable;
- Kier would ensure that ordered materials and the dimensions of components were correct.

The Portfolio Holder for Environment Services apologised to all those present at the meeting for Kier's performance in relation to the delivery of the Decent Homes Works. She confirmed that a change of management had taken place and that issues were being addressed. In response to a question by a Tenant, the Portfolio Holder confirmed that the new employees hired were 'deeply rooted Kier people.'

An officer stated that the service that tenants had received was not of an acceptable standard and that service delivery would be improved. In response to a question by a Member, the officer also confirmed that there would be no more 'cold calling' of residents.

A Member expressed concern about the performance of Kier. Another Member acknowledged the apology given at the meeting and noted that action was being taken by both Kier and the Council to manage performance.

The Chairman thanked all for attending the meeting.

RESOLVED: That (1) the above be noted;

(2) the Chairman and Vice-Chairman of the Forum, the Portfolio Holder for Environment Services and the Divisional Director (Housing) be kept informed by the management of Kier regarding the progress in the delivery of the Decent Homes Scheme.

(Note: The meeting having commenced at 6.31 pm, closed at 7.33 pm)

(Signed) COUNCILLOR CAMILLA BATH
Chairman

**TENANTS' AND LEASEHOLDERS'
CONSULTATIVE FORUM****9 JANUARY 2008**

Chairman: * Councillor Mrs Camilla Bath

Councillors: * Don Billson * Phillip O'Dell
* Bob Currie

* Denotes Member present

[Note: Councillor Susan Hall also attended this meeting to speak on the item indicated at Minute 117 below.]

Tenants' and Leaseholders' Representatives

Representatives from the following Associations were in attendance:-

Antoney's Close Tenants' and Residents' Association
 Berridge Estate Tenants' and Residents' Association
 Brookside Close Tenants' and Residents' Association
 Cottesmore Tenants' and Residents' Association
 Leaseholders Support Group
 Pinner Hill Tenants' and Residents' Association
 Weald Tenants' and Residents' Association
 Weald Village Community Association.

In total 13 Tenants/Representatives attended.

PART I - RECOMMENDATIONS**RECOMMENDATION 1 - Draft Housing Revenue Account (HRA) Budget 2008-09 and Medium Term Financial Strategy 2008-09 to 2010-11**

An officer presented the report of the Corporate Director (Finance) which set out the draft Housing Revenue Account (HRA) Budget 2008-09 and the Medium Term Financial Strategy for 2008-09 to 2010-11. The Forum was asked to agree the draft HRA for 2008-09 to 2010-11 and recommend the three-year financial strategy to Cabinet.

The officer explained that the financial strategy was consistent with the Council's overall financial strategy and the HRA thirty-year business plan. The officer stated that the report was in draft form and that there was a deficit on the HRA for 2008/09. The officer also stated that:

- the key area of income was rent;
- the report proposed a 5.66% rent increase in line with Government guidance;
- the Government no longer limited Local Authorities to a maximum 5% rent increase;
- the average rent increase would be £4.37 per week;
- £22 million was expected in rental income, taking into account voids and Right to Buy Sales;
- the Council had separated service charges from dwelling rent;
- the service charge for tenants was recommended to increase by 3.5% in 2008-09 resulting in an average service charge of £4.13 per week per tenant;
- facility charge increases were necessary due to increased energy costs.

In response to questions by a Member, the officer confirmed that:

- the projected five Right to Buy Sales in 2008 was a prudent estimate;
- the final HRA subsidy determinations would not be known until mid January 2008;

- with regard to 'recharge to other services', the amount represented grant income from Supporting People.

One Tenant Representative voiced concern in relation to the proposed increase in rent as she felt that estates were not being properly maintained and that the repair service was inadequate. The representative stated that increases in rent put particular pressure on the elderly.

A Member questioned why service charges were necessary when tenants paid Council tax. It was confirmed by an officer that service charges related to items not covered by Council tax.

In response to further questions by members of the Forum, officers confirmed that:

- the rent charged for garages was lower than commercial rents;
- garages were commercial properties and therefore the garage portfolio needed to be managed in line with commercial practice;
- those who were not Council tenants were required to pay VAT when renting a garage;
- garages used for commercial use were not subject to extra rent, but the Housing Services department was open to suggestions as to how a 'two tier' rent system would work;
- council houses, to an extent, could be used for business purposes;
- tenants should be referring issues of anti-social behaviour to their respective Housing Officer.

In response to a query raised by a Member, an officer agreed to look into the possibility of training for tenants on rent setting and rent convergence.

RESOLVED to Recommend: (to Cabinet)

That Cabinet be recommended to agree the draft Housing Revenue Account (HRA) for 2008-09 to 2010-11 and three-year financial strategy.

[**REASON:** To make an annual recommendation to Cabinet with respect to the HRA].

PART II - MINUTES

109. **Attendance by Reserve Members:**

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

110. **Declarations of Interest:**

RESOLVED: To note that the following interest was declared:

- (i) Councillor Bob Currie declared a personal interest in that he attended monthly meetings of the Brookside Close Tenants' and Residents' Association and Eastcote Lane Tenants' and Residents' Association. Accordingly, he would remain in the room during the discussion and decision-making for all items.

111. **Arrangement of Agenda:**

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

(2) agenda item 13: Addressing Tenants Worklessness – Funding Proposal - be considered before agenda item 11: Suggestions for agenda items for the next meeting.

112. **Minutes:**

RESOLVED: That the minutes of the meeting held on the 29 October 2007 be taken as read and signed as a correct record.

113. **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).

114. **Petitions:**

RESOLVED: To note that no petitions had been received.

115. **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).

116. **Draft Housing Revenue Account (HRA) Budget 2008-09 and Medium Term Financial Strategy 2008-09 to 2010-11:**
(See Recommendation 1)117. **Decent Homes Delivery:**

An officer presented a report of the Divisional Director (Housing), which set out the progress made against the Decent Homes Programme.

An officer explained that 2007 had been a difficult year for delivering the Housing Capital Programme. The officer noted that Harrow needed to reach Decent Homes standard by 2010.

In response to questions by Members of the Forum, officers and representatives from Kier explained that:-

- Harrow's Decent Home Standard was higher than the one set by the Government;
- the delivery of the Decent Homes Programme had been inadequate and both Kier and the Council were aware of what needed to be done to improve the situation;
- Apollo were performing no new works but were required under contract to repair faults to the work they had already completed;
- an annual comprehensive monitoring schedule was in place to ensure gas safety checks were undertaken. Strict procedures were in place and were implemented;
- there were difficulties with gaining entry to some properties, which needed to be brought up to the Decent Home Standard. A protocol for handling these issues was in place;
- 48 properties, which were being improved under the Decent Homes Standard required aids and adaptations. This work would be delivered from the Housing Capital programme;
- communication between Tenants and Kier needed to be improved;
- Kier were willing to work with local Tenants' and Residents' Associations;
- Kier had procedures in place for ensuring that staff had the proper identification;
- all staff employed by Kier were able to communicate effectively;
- it was the responsibility of Leaseholders to ensure that wiring in their property was up to the required standard;
- the work which Apollo needed to complete was 'snagging' work of a minor nature;
- Kier would consider re-imbursing tenants when appointments were not honoured.

Members of the Forum expressed concern over the issue of gas safety checks. One Member noted his concern over the issue and asked for a progress report to be submitted to the next meeting of the Forum.

The Chairman asked an officer to provide her with two lists: one list detailing properties, which needed to be completed by Apollo and a 'snagging' list. The Chairman also noted her concern over the 'cold-calling' of residents and asked that Members be kept informed of the literature Kier were sending out to residents. The Chairman noted her concern that residents were finding it difficult to contact representatives from Kier.

The Portfolio Holder for Environment Services explained that Kier were introducing a new Director and management team in order to improve the delivery of the Decent Homes Programme. She noted that improvements needed to be made in the delivery of the Decent Homes Programme.

One Member asked to be given further information regarding tenants who refused access to their property when it required work to bring it up to the Decent Homes Standard.

RESOLVED: That (1) the progress being made on delivering the Decent Homes programme be noted;

(2) the proposal that properties excluded from the Decent Homes programme are undertaken as void works or deferred to a later programme be noted;

(3) the recommendation that past promises made to tenants to provide aids and adaptations, as part of the Decent Homes works, will be honoured, be noted.

REASON: To ensure the Decent Homes Programme is flexible enough to enable delivery within the Government's timescales.

118. **Ground Maintenance:**

The officer who was due to present the oral report was not present.

RESOLVED: That a written report of the Divisional Director (Housing) on Ground Maintenance be circulated to Members of the Forum as soon as possible.

119. **Addressing Tenants Worklessness -funding proposal:**

An officer introduced the report which, outlined Harrow Council's proposed funding application to the London Development Agency in the current European Social Fund round and addressed worklessness issues of tenants in Council and Registered Social Landlords' (Housing Association) properties.

The officer stated that the report highlighted the fact that, nationally, there were high levels of worklessness in Social Housing. As a result, the Council were looking for extra support. Harrow were to make a funding application but it was explained that the scheme was very competitive.

In response to a question by a Member, the officer replied that whilst Harrow Council would manage the scheme, they would work with other organisations, including specialist agencies.

RESOLVED: That the report be noted.

120. **Suggestions for agenda items for next meeting:**

The following items were suggested as agenda items for the next meeting of the Forum:

- A report on the relationship between Tenants' and Residents' Associations and Kier;
- an update on the delivery of the Decent Homes Scheme;
- update on gas safety checks;
- estate cleanliness;
- update on Tenant Management Organisations (TMOs) and the Right to Manage;

- estate inspections.

RESOLVED: That the above be noted.

121. **Any Other Urgent Business:**

Report into HFTRA

A Member asked for access to a confidential report relating to a formal complaint by a Member of the Public that had made reference to officers of Harrow Federation of Tenants' and Residents' Association (HFTRA). The Member stated that he had raised this issue at the last meeting but it had not been minuted. The Member was referred to the Divisional Director (Housing) for the information he required.

122. **Extension and Termination of the meeting:**

In accordance with the Advisory and Consultative Procedure Rule 13 (Part 4E of the Constitution) it was:

RESOLVED: At (1) 9.58 pm to continue until 10.30 pm;

(2) 10.29 pm to continue until 10.34 pm.

(Note: The meeting having commenced at 7.45 pm at the rising of the extraordinary meeting, closed at 10.32 pm)

(Signed) COUNCILLOR CAMILLA BATH
Chairman

EDUCATION CONSULTATIVE FORUM

29 JANUARY 2008

| | | |
|--|--|--|
| Chairman: | * Councillor Miss Christine Bednell | |
| Councillors: | * Mrs Camilla Bath * B E Gate * Mrs Vina Mithani (2) | * Janet Mote * Raj Ray * Bill Stephenson |
| Teachers' Constituency: | * Mrs D Cawthorne * Ms C Gembala Mr A Jones | † Ms J Lang * Ms L Money * Ms L Snowdon |
| Governors' Constituency: | † Mr N Rands * Mrs C Millard | Ms H Solanki |
| Elected Parent Governor Representatives: | * Mr R Chauhan | * Mrs D Speel |
| Denominational Representatives: | Mrs J Rammelt | Reverend P Reece |

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

The Forum observed a minute's silence in respect of the passing of Councillor Dhirajlal Lavingia.

PART I - RECOMMENDATIONS**RECOMMENDATION 1 – School Term Dates 2009 - 2010**

The Forum considered a report of the Director of Schools and Children's Development, which asked members of the Forum to consider the recommendation of school term dates for 2009 – 2010 which were in line with the model provided by the Local Government Association (LGA). The Forum was asked to recommend to the Portfolio Holder for Schools and Children's Development the adoption of the school term dates for Harrow for 2009 – 2010 as set out in Appendix 1 of the officer report.

A member commented that some schools were finding curriculum planning difficult due to religious holidays that were otherwise unaccounted for within school term dates. The member suggested the possibility of two 'flexible' days of the year that schools could choose from to allocate to religious holidays at the beginning of the term. The Chairman agreed that this should be considered with regards to the planning of future dates.

A member asked whether it was possible to bring the holiday dates in-line with neighbouring boroughs. The Director of Schools and Children's Development reported that all London boroughs followed LGA guidelines. Neighbouring boroughs that were not in London could not always be taken into account.

Resolved to RECOMMEND: (to the Portfolio Holder for Schools and Children's Development)

That the proposed school term dates for 2009 – 2010 as set out in Appendix 1 of the officer report be adopted.

[Reason for Recommendation: To fulfil the Council's requirement to determine the school term dates for 2009 – 2010]

PART II - MINUTES68. **Attendance by Reserve Members:**

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

Ordinary Member

Councillor Manji Kara
Mr A Jones

Reserve Member

Councillor Vina Mithani
Ms J Howkins

69. **Apologies for Absence:**

RESOLVED: That (1) apologies for absence had been received from Ms J Lang and Councillor Manji Kara;

(2) resignations had been received from Mr Neil Rand and Ms Heather Henshaw;

(3) Ms J Howkins permanently replaced Mr Alan Jones as a member of the Teachers' constituency.

70. **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.

71. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following report 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> |
|--------------------|--|
| 12. Budget Update | The report of the Director of Schools and Children Development provided the Budget Update. The report was not available at the time the agenda went to print and circulated due to deliberation by the Schools Forum. The Forum agreed to consider the report. |

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

(3) item 12 - Budget Update be considered before agenda item 10 – School Term Dates 2009-2010.

72. **Minutes:**

RESOLVED: That the minutes of the meeting held on 13 September 2007 be taken as read and signed as a correct record.

73. **Matters Arising:**

RESOLVED: To note that there were no matters arising that did not appear on the agenda.

74. **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).

75. **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).

76. **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).

77.

Budget Update:

The Forum received a tabled report of The Director of Schools and Children's Development, which set out the Schools Budget for 2008 – 2009. The officer apologised for the late report and informed the Forum that Harrow was on the first year of a three-year multi cycle of the schools budget.

The officer confirmed that:

- due to an increase of 4.5% in the Dedicated Schools Grant from the previous year, £5.7million would be allocated for Harrow Schools;
- there would be a further 3.6% and 3.5% rise in years 2 and 3 respectively;
- with a raise of 2.1% of the minimum-funding guarantee (£3 million) taken into account, £2.7 million headroom was left to be allocated;
- £331,000 would be allocated for Ministerial Priority;
- £490,000 would be allocated for Special Educational Needs Higher Costed Statements;
- £395,000 would be allocated for extra places at Special School;
- £885,000 would be allocated for Central Items Growth;
- in year 2 of the cycle more funding would be dedicated for autism within mainstream schools;
- the 2009 - 2010 and 2010 -2011 budgets were estimates were based on inflation increases.

A Member expressed concern that the information contained within the report was not detailed enough. The Member requested information concerning the cuts in budget of Education Psychologist Service (EPS), Education Welfare Service (EWS), Extended Schools Funding, and the Achievement and Inclusion Service. In response to the Member's queries, the Director of Schools and Children's Development confirmed that:

- not all information available with regards to the budget was known at the stage;
- the School Forum had decided not to secure funding for the EPS and the Extended Schools Funding;
- the EWS was still operational but with reduced funding;
- Harrow had a good track record in dealing with children with a wide range of learning difficulties;
- figures for the provision of special units within schools that dealt with autism did not reflect the whole year's costs but merely the start-up costs.

The Chairman commented that savings had been achieved through improved efficiency and organisational changes. The Chairman further commented that she would be attending a rescheduled meeting with one of Harrow's Members of Parliament and the Chief Executive to discuss school funding and that the Forum's meeting had taken place at a problematic time because decisions concerning the budget were still under consideration.

In response to questions the Chairman reported that there were three special units being developed within schools that had experience and qualifications in dealing with autism.

A member asked whether it was possible to have the future meeting dates published within the agenda. The Director of Schools and Children's Development replied that dates for the future three meetings could be forwarded to members.

RESOLVED: That (1) the report be noted;

(2) the Chairman liaise with the other Members in order to arrange future meetings of the Forum that would allow for more effective consultation on the Budget.

78. **School Term Dates 2009 - 2010:**
(See Recommendation 1).

79. **School's Amalgamation Policy:**

The Forum received the report of the Director of Schools and Children's Development, which set out the context for the Amalgamation Policy, and invited the Forum to consider the impact for schools in the context of a change in the age of transfer from primary to secondary education.

A member expressed concern that the report came across as biased towards amalgamation and that the Forum had not had enough time to be consulted. The member asked for the reasons against amalgamation.

The Director of Schools and Children's Development stated that the report was only concerned with detailed amendments to a longstanding policy. The Director confirmed that such amendments were required due to concerns about the clarity of the policy, and changes in, legislation, and that the report merely highlighted the issues needing attention for schools already in the process of amalgamation. It was noted that although the deciding body should consult with stakeholders, they did not have to reflect their views within their decision. The Chairman stated that schools were not forced to amalgamate and that Head teachers and Governors had been thoroughly consulted over the policy.

In response to questions, the Director of Schools and Children's Development reported that:

- no schools had amalgamated under the new policy;
- a pack containing a 'map of the process' was being compiled for governors;
- an analysis of how amalgamation affected the performance of schools would take place and the findings circulated.

A member commented that it would be helpful for an 'attached advisor' to work closely with schools going through the amalgamation process, thus reducing upheaval which might have a detrimental effect on children. Another member commented that schools going through amalgamation might lose the 'personal pastoral commitment'. There could also possibly be issues over the use of playground space and the loss of the feeling of 'growing up' by not moving to a different building.

The Chairman noted that such issues would be dealt with by proper administration and organisation by the schools themselves. A Member added that most schools already had separate buildings and playgrounds, and proper school management could tackle any problems caused by amalgamation.

A Member expressed her thanks towards the Director of Schools and Children's Development for the clarity of the report.

RESOLVED: That (1) the report be noted;

(2) officers consider the above comments.

80. **Date of Next Meeting:**

RESOLVED: That the date of the next meeting, the 19 March 2008, be noted.

(Note: The meeting having commenced at 7.37 pm, closed at 9.24 pm)

(Signed) COUNCILLOR CHRISTINE BEDNELL
Chairman

EMPLOYEES' CONSULTATIVE FORUM**30 JANUARY 2008**

Chairman: * Councillor Mrs Camilla Bath

Councillors: * David Ashton * Graham Henson
 * Bob Currie * Chris Mote
 * Keith Ferry (2) * Paul Osborn

Representatives of HTCC: (Currently no appointees)

Representatives of UNISON: * Ms M Cawley * Mr G Martin
 * Mr S Compton * Mr R Thomas
 * Ms A Jackson

Representative of GMB: * Mr J Dunbar

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

[Notes: (1) Ms S George-Duesbury also attended the meeting as a representative of GMB and Harrow Council Black Workers' Group;

(2) See Appendix 1 for list of officers in attendance.]

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**89. **Mr Malcolm Blake and Councillor Dhirajlal Lavingia:**

A minute of silence was observed in memory of Malcolm Blake, a long-serving member of staff, and Councillor Dhirajlal Lavingia.

90. **Attendance by Reserve Members:**

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

Ordinary MemberReserve Member

Councillor Navin Shah

Councillor Keith Ferry.

91. **Declarations of Interest:**

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

- (i) Councillor Graham Henson declared a personal interest in that he was a member of the Communication Workers' Union and his cousin was a Council employee. Accordingly, he would remain in the room and take part in the discussion and decision-making on all items of the agenda.
- (ii) Councillor Bob Currie declared a personal interest in that he was a retired member of UNISON. Accordingly, he would remain in the room and take part in the discussion and decision-making on all items of the agenda.
- (iii) Councillor Keith Ferry declared a personal interest in that he was an active member of GMB. Accordingly, he would remain in the room and take part in the discussion and decision-making on all items of the agenda.
- (iv) Councillor Chris Mote declared a personal interest in that his sister was a teacher in the borough. Accordingly, he would remain in the room and take part in the discussion and decision-making on all items of the agenda.

92. **Arrangement of Agenda:**

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

| <u>Agenda items</u> | <u>Special Circumstances / Grounds for Urgency</u> |
|---|--|
| 5a. Minutes of the meeting held on 29 August 2007 | Due to an error, this item had not been included on the agenda at the time it was dispatched. Members were asked to consider the item, as a matter of urgency, in order to allow the actions recorded in the minutes to be taken forward. |
| 10/11. Draft Capital Programme/ Draft Revenue Budget and Medium-Term Financial Strategy | Due to an oversight, these items, together with a covering report, which was tabled at the meeting, had not been included on the agenda at the time it was dispatched. Members were asked to consider the items, as a matter of urgency, in order to allow the consultation to take place and the views to be fed back to Cabinet. |

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

93. **Minutes:**

RESOLVED: That (1) the minutes of the meetings held on (i) 29 August 2007, which were tabled, and (ii) 1 November 2007, be taken as read and signed as correct records;

(2) the resolution of the issue of the Access Harrow front desk, discussed at the 1 November 2007 meeting, be expedited by a meeting between the relevant Business Transformation Partnership (BTP) officer and the trade unions, to be arranged by the Portfolio Holder, Strategy and Business Support Services;

(3) in the event of the Council's staff support groups wishing to place items on the agenda, they should request that the Chairman do so on their behalf.

94. **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).

95. **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).

96. **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).

97. **UNISON Report on Asbestos:**

The Forum received a report from UNISON, expressing concern at the lack of progress in supplying information to the unions on the removal of asbestos-containing materials during construction of the Access Harrow contact centre. The Chairman apologised for the delay. The Forum was informed that a meeting had taken place on 29 January 2008 between the Chairman, the Portfolio Holder for Strategy and Business Support, officers and the unions. A further meeting had been organised to discuss the matter on 27 February 2008.

RESOLVED: That the report and the comments above be noted.

(See also Minute 98).

98. **Response to Request from Unison:**
The Forum received a report of the Corporate Director, Community and Environment, setting out information on the continuing dialogue with UNISON in relation to works in the Access Harrow area completed in 2006.
- RESOLVED:** That the report be noted.
- (See also Minute 97).
99. **Draft Capital Programme 2008-09 to 2010-11:**
The Forum received a report of the Corporate Director, Finance, setting out the draft Capital Programme for 2008/09 to 2010/11, published as part of the annual budget review process, together with a covering report, which was tabled.
- RESOLVED:** That the reports be noted.
100. **Draft Revenue Budget 2008-09 and Medium Term Financial Strategy 2008-09 to 2010-11:**
The Forum received a report of the Corporate Director, Finance, setting out, for the purposes of consultation, the draft Revenue Budget for 2008/09 and Medium-Term Financial Strategy 2008/09 to 2010/2011, together with the tabled covering report referred to in item 99 above. An officer gave a presentation on the proposed budget for 2008/09, with a description of the current position, an analysis of the funding gap, a summary of savings identified, a strategy for closing the funding gap, and the arrangements for consultation. The officer and the Portfolio Holder, Finance and Portfolio Co-ordination, answered questions from union representatives on the impact of savings, the performance of the Council's partners and the cost of hiring consultants. The Portfolio Holder agreed to attend a separate meeting with union representatives to answer more detailed questions on the proposed budget.
- RESOLVED:** That the report and the comments above be noted.
- (Note: The meeting having commenced at 7.35 pm, closed at 9.21 pm)

(Signed) COUNCILLOR CAMILLA BATH
Chairman

APPENDIX 1**Officers in attendance:**

- | | | |
|----------------|---|--|
| Mike Brown | - | Service Manager - Asset Management and Facilities |
| Lesley Clarke | - | HRD Strategy Manager |
| Eddie Collier | - | Interim Head of Property and Infrastructure |
| Sheela Thakrar | - | Finance Manager for Finance, Community and Environment |
| Jon Turner | - | Interim Divisional Director, Human Resources and Development |
| David Ward | - | Head of Audit & Risk |

