

2007 – 2008
October 2007 Volume 5



**CABINET
AND
COUNCIL
MINUTES**

CABINET AND COUNCIL MINUTE BOOK

VOLUME 5: OCTOBER 2007

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*[*Note: An additional meeting of the Licensing Panel commenced on 11 October 2007 but was adjourned. The minutes of that meeting will be included in the Minute Volume for the month in which the meeting is concluded].*

COUNCIL
AND
COUNCIL
COMMITTEES

LICENSING AND
GENERAL PURPOSES
PANELS

LICENSING PANEL

1 OCTOBER 2007

Chairman: * Councillor G Chowdhury

Councillors: * Thaya Idaikkadar * John Nickolay

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**167. **Appointment of Chairman:**

RESOLVED: That Councillor G Chowdhury be appointed Chairman of the Panel for the purposes of the meeting.

168. **Declarations of Interest:**

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

169. **Arrangement of Agenda:**

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

170. **Minutes:**

(See Note at conclusion of these minutes).

171. **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.

172. **Licensing Procedures:**

The Chairman asked the Panel Members, officers, the Responsible Authority 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.

173. **Application to vary a Premises Licence, Morano's, 12 Station Parade, Whitchurch Lane, Edgware HA8 6RW:**

The Panel received a report of the Chief Environmental Health Officer, which detailed an application to vary a Premises Licence for Morano's, a wine bar at 12 Station Parade, Whitchurch Lane, Edgware HA8 6RW. The application sought permission to extend the provision of recorded music until 02:00 on Sunday, and to add to the Premises Licence the provision of live music until 23:30 on Thursday, 01:00 on Friday and Saturday, 00:00 on Boxing Day and New Year's Eve, and 01:00 on Sundays prior to Bank Holidays. It also sought permission to sell draught beer and to allow alcohol to be consumed in the premises' beer garden.

The application was made by Ms Rosemarie Bakry and Ms Caroline Donnan, and had been referred to the Panel, as there was an unresolved representation by the Planning Authority. The applicants, and Mr Nicholas Ray and Mr Sucha Singh-Basuta, representing the Planning Authority, were in attendance.

The applicants explained that their existing licence dated from August 2005 and that until now they had not been aware of any unresolved planning issue. Their business was family-run and had attracted no complaints.

Mr Ray informed the Panel that planning restrictions relating to the premises did not tally with the August 2005 licence or the current application to vary that licence. He explained that planning matters should be resolved prior to the granting of any licence.

The applicants felt it was unjust that the unresolved planning issue had not been picked up in 2005, and they hoped that the Panel would take this into account when making their decision. They intended making a planning application to rectify the situation.

RESOLVED: That the variation application be granted, with the exception of permission for off-sales, as this was not needed for the consumption of alcohol in the premises' beer garden.

(Note: The meeting having commenced at 10.00 am, closed at 11.00 am)

(Signed) COUNCILLOR GOLAM SOBHAN CHOWDHURY
Chairman

[Note: Licensing Panel minutes are:-

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

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

LICENSING PANEL

16 OCTOBER 2007

Chairman: * Councillor Jeremy Zeid

Councillors: * John Nickolay * Phillip O'Dell

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**174. **Appointment of Chairman:**

RESOLVED: That Councillor Jeremy Zeid be appointed Chairman for the purposes of the meeting.

175. **Declarations of Interest:**

RESOLVED: To note that the following interest was declared:

- (i) Agenda Item 7 – Application to vary a Premises Licence for 'Blues', 86 High Street, Harrow-on-the-Hill, HA1 3LW
Councillor Mrs Eileen Kinnear, who was not a Member of the Panel, declared a personal interest in that she was a Ward Councillor for Harrow on the Hill. She would remain in the room as an observer whilst the matter was considered.

176. **Arrangement of Agenda:**

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

177. **Minutes:**

(See Note at conclusion of these minutes).

178. **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.

179. **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.

180. **Application to vary a Premises Licence for 'Blues,' 86 High Street, Harrow-on-the-Hill, HA1 3LW.:**

The Panel received a report of the Chief Environmental Health Officer, which detailed an application to vary a Premises Licence issued under the Licensing Act 2003 to 'Blues' (previously Gauchos), a bar and restaurant at 86 High Street, Harrow on the Hill, HA1 3LW. Blues had sought to:

- extend the permitted hours for sales of alcohol;
- remove two conditions from an already licensed premises;
- provide a piano within the premises;
- provide live music.

An officer confirmed that the applicant had made an amendment to the original application, which was detailed on page 6 of the agenda.

The application had been referred to the Panel as unresolved representations had been received from the Metropolitan Police and Interested Parties. Sergeant Carl Davis was in attendance on behalf of the Metropolitan Police. The Interested Parties (local residents) in attendance were Mr Robert Williams, Ms Charonne Boulton, Mr Jeremy Boulton, Mr Ray Anderton, Ms Norma Williams and Ms Ann Whybrow.

Mr Ken MacLeay, the applicant's solicitor, confirmed that since 1980, the premises had held a full Justices' Licence. Since 1980, the premises had not been allowed to serve draught beer. Mr MacLeay also confirmed that that premises had always operated as a 'bar-restaurant'.

Mr MacLeay produced two letters of support for the applicant: one letter from a local resident, Mr Thomas Shortall, and the other from Mr Felipe Rompesillas who had performed at the premises as a Flamenco guitarist. It was agreed to accept these additional documents.

In response to questioning by Mr MacLeay, Mr Guy Marx (the applicant) confirmed that:

- he had been the owner of the premises since 1981;
- the premises' Manageress or himself were always available during opening hours, both of whom were very experienced in this type of industry;
- the intention of the application was to achieve 50/50 wet/dry sales;
- the bar could seat approximately 20 people;
- no nuisance order had been issued for the premises;
- the Police had never been called out to investigate noise emanating from the premises;
- dedicated cab firms were used by the premises for customers;
- the premises was mainly used by local people including staff and pupils from Harrow School;
- customers tended to be over the age of thirty;
- Harrow School was the premises' landlord;
- no roller blinds were present in the premises;
- there were no deliveries to the premises at 5.30 am;
- his phone number could be made available for local residents to contact him should there be a problem with noise.

It was confirmed by the applicant that there would be no more than 2 people performing at one time.

In response to questions by local residents, the applicant confirmed that there were no plans for sound-proofing the premises and that the door to the premises would not be left open beyond a reasonable hour and certainly not beyond midnight.

One resident queried whether all letters of representation had been included in the agenda. An officer confirmed that, to the best of his knowledge, all letters of objection received were in the agenda.

In response to questions by Sergeant Davis, the applicant confirmed that, should the licence be granted:

- provision for digital CCTV would be made and recordings would be kept for a minimum of 14 days should the Police require them;
- they were willing to become Members of 'Challenge 21';
- they were willing to have a panic alarm installed.

The applicant also confirmed that weatherproof garden furniture was present in the garden at all times and that there were no loudspeakers in the garden.

In response to questions from the Panel, the applicant confirmed that:

- the earliest time that deliveries were made to the Premises was between 7.30 am and 8.00 am;

- people could smoke in the garden: ashtrays and appropriate furniture were provided;
- parasols were in the garden to protect customers against bad weather;
- customers were allowed to take drinks to the garden with them when they smoked;
- the premises had air-conditioning;
- it could be that noise emanating from other premises in the area could be mistaken as coming from 'Blues'.

In his representation, Mr Robert Williams, who was acting on behalf of local residents and the Harrow on the Hill Trust stated that his concern was the possible noise that could arise should the premises be granted extended hours on Friday and Saturday. Mr Williams noted that the area was a primarily residential village. Mr Williams stated that extending the drinking hours would offend three of the Council's licensing objectives.

Mr MacLeay then questioned Mr Williams regarding the issue of staggering of hours.

In her representation, Ms Charonne Boulton stated that, despite the amendments to the hours, her objections still stood. Ms Boulton stated that she thought that there was a problematic late night drinking culture in the Harrow on the Hill conservation area and highlighted why local residents and the Police had made representations against the application.

Mr MacLeay then questioned Ms Boulton. Mr MacLeay confirmed that 'Blues' had always been a 'Pub' in that it had the benefit of a premises licence and that, under 'Grandfather Rights', customers were currently able to stay in the premises as long as they wished.

An officer confirmed that the character of the area was not a matter for the Panel and that the Panel could only consider the application against the four licensing objectives.

In response to questioning by the Panel, residents confirmed that, while they were satisfied with Mr Marx's ability to effectively manage 'Blues', they were concerned that he could not control the noise from customers who had left the premises and that they were concerned about it turning into a 'late night club'.

In his closing statement, Sergeant Davis confirmed that due to the amendments to the application, the Police position had changed as he was satisfied that the applicant was committed to meeting Police requirements.

In the closing statement for the applicant, Mr MacLeay stated that the application met the necessary requirements to prevent crime and disorder and that there was no history of complaints regarding noise from the Environmental Health Team. Mr MacLeay further stated that noise from live music from the premises was minimal and that Mr Marx was available for residents to contact should they ever have any concerns.

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

RESOLVED: That the variation to the Premises Licence for 'Blues', 86 High Street, Harrow on the Hill, HA1 3LW, as detailed on pages 5 and 6 of the agenda, be granted subject to the following conditions:

1. Premises doors to be kept closed after midnight in order to stop noise.
REASON: The prevention of public nuisance.
2. Live music is to not be amplified.
REASON: The prevention of public nuisance.
3. CCTV to be brought up to Police requirements.;
REASON: The prevention of crime and disorder.
4. A monitored security system must be equipped with a signal terminating at a recognised Alarm Receiving Centre (ARC) and must comply with the current version of the EN 50131-1 standard and be eligible for a police response as defined by the ACPO Policy on Police Response to Security Systems, Level 1

status. It should be fitted with panic alarm buttons and remote panic buttons for staff.

REASON: The prevention of crime and disorder.

5. Notices requesting that patrons leave and disperse quietly to be displayed prominently.

REASON: The prevention of public nuisance.

6. The Premises to be a Member of 'Pubwatch'.

REASON: The prevention of crime and disorder.

7. The operation of the 'Challenge 21' proof of age policy.

REASONS: The prevention of crime and disorder and the protection of children from harm.

8. The garden area to be cleared thirty minutes before closing time.

REASON: The prevention of public nuisance.

(Note: The meeting having commenced at 7.30 pm, closed at 9.38 pm)

(Signed) COUNCILLOR JEREMY ZEID
Chairman

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- (3) not submitted to the next panel meeting for approval.

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

LICENSING PANEL

22 OCTOBER 2007

Chairman: * Councillor John Nickolay

Councillors: * Mano Dharmarajah * Jeremy Zeid

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**181. **Appointment of Chairman:**

RESOLVED: That Councillor John Nickolay be appointed Chairman of the Panel for the purposes of this meeting.

182. **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.

183. **Arrangement of Agenda:**

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

184. **Minutes:**

(See Note at conclusion of these minutes).

185. **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.

186. **Licensing Procedures:**

The Chairman asked the Panel Members, officer/s, Responsible Authority/ies 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.

187. **Application to vary a Premises Licence held by 'Sainsbury's, 330 Northolt Road, South Harrow, HA2 8EQ:**

The Panel received a report of the Chief Environmental Health Officer, which detailed an application to vary a premises licence for Sainsbury's, 330 Northolt Road, South Harrow, HA2 8EQ. The application sought permission to extend the hours of sale of alcohol.

The application had been referred to the Panel, as there were unresolved representations from local residents. The applicant's solicitor, Mr Robert Botkai, attended the meeting. Several residents, including those who had made representations, were also present.

The Chief Environmental Health Officer's representative explained that the Mr Botkai had amended the application prior to the meeting, which now sought to extend the sale of alcohol from 6.00 am to 11.00 pm seven days a week, and from 6.00 am to 12 midnight seven days before Christmas Day, Christmas Day and seven days after Christmas Day. The application for Late Night Refreshments had been withdrawn. It was noted that under the Licensing Act there were no restrictions on the opening times on Good Friday and Christmas Day and the application sought to remove the conditions on the current licence relating to trading hours on those days.

Mr Botkai explained that under the current premises licence the applicant was allowed to sell alcohol between 8.00 am and 11.00 pm Monday to Saturday and from 10.00 am to 11.00 pm on Sunday. The application to vary the licence had been made to bring the hours of sale of alcohol in line with the opening hours of the store and allowed some flexibility during the Christmas period. He added that although the store was allowed to open 24 hours a day it did not intend to do so, and only if there was a demand the store would remain open until midnight during the Christmas period.

In response to questions from objectors and Panel Members it was clarified that current legislation required a licence for Late Night Refreshments, but the application to extend Late Night Refreshments had been withdrawn prior to the hearing.

In her representation Mrs McDonald stated that Northolt Road appeared to attract a culture of street drinking, littering was very common and individuals were constantly drinking outside South Harrow underground station. She felt that the extension of the sale of alcohol would contribute to the drinking problem in the area. She added that Sainsbury's did not take residents' wellbeing into concern, but only sought to increase profits.

In her closing statement Mrs McDonald stated that the objection to the extension of sale of alcohol was not to imply criticism on Sainsbury's but she felt it would encourage shopkeepers in the area to apply for an extension.

In his closing statement Mr Botkai stated that the variation to the licence was sought to make management easier, not to increase profit. He added that the variation, if granted, would not have a noticeable impact on local residents.

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

RESOLVED: That (1) the request for the extension sale of alcohol from 6.00 am to 11.00 pm Monday - Sunday would not be granted but would be permitted from 7.00 am to 11.00 pm Monday to Sunday, subject to the conditions outlined in Annex 2 of the published officer report;

(2) the request for the extension of sale of alcohol until 12 midnight during the seven days before Christmas, Christmas Day and the seven days after Christmas be granted, subject to the conditions outlined in Annex 2 of the published officer report.

REASON: The prevention of public nuisance.

188. **Application to vary a Premises Licence held by 'Sainsbury's', The Broadway, Elm Park, Stanmore, HA7 4DA:**

The Panel received a report from the Chief Environmental Health Officer, which detailed an application to vary a premises licence for Sainsbury's, The Broadway, Elm Park, Stanmore, HA7 4DA. The application sought to extend the hours for the sale of alcohol.

The application had been referred to the Panel, as there were unresolved representations from interested parties. The applicant's solicitor, Mr Robert Botkai attended the meeting. Several local residents, including those who had made representations, were also present.

The Chief Environmental Health Officer's representative informed the Panel that the applicant's representative had amended the application prior to the hearing. The application now sought to extend the sale of alcohol from 6.00 am to 11.00 pm seven days a week and from 6.00 am to 12 midnight seven days before Christmas Day, Christmas Day and seven days after Christmas Day. The application for Late Night Refreshments had been withdrawn.

In his opening statement Mr Botkai explained the store's opening hours were 8.00 am to 11.00 pm Monday to Saturday and 10.00 am to 4.00 pm on Sunday. It was not intended that the store would close at 12 midnight during the Christmas period, but it would open at 6.00 am. Considering the objections from local residents Mr Botkai proposed to further amend the application to only extend the sale of alcohol from 6.00 am to 11.00 pm. It was explained that there was an issue with the Sainsbury's car park, which was being used after the store's closing hours by customers of nearby premises. Mr Botkai noted that Sainsbury's did not want to keep open the car park 24 hours a day, but the Council requested it to remain open to provide a public car park facility.

In response to questions it was clarified that:

- it would be a matter for the police if the applicant did not comply with the requirements regarding CCTV and the Crime Prevention Officer would make regular visits to ensure the store would operate within the guidelines;
- security guards had been put in place to ensure that visitors of other premises did not use the car park.

In her representation Marsha Gordon stated that the car park was a target for pickpockets and anti-social behaviour. She added that an extension of the licensable activities would not be beneficial for Stanmore. It was noted that houses were directly adjacent to the car park and an extension of the hours would increase the noise in the area.

In his closing statement Mr Botkai stated that he had amended the application to compromise with the objectors. He felt it was unlikely that the extended hours would increase the level of crime and disorder in the area.

Considering all the facts and evidence before them the Panel

RESOLVED: That the amended application be granted subject to the conditions set out in and the following amended condition as set out in Annex 2 of the published officer report with:

1. Under the prevention of crime and disorder the first sentence to read: A fully operational CCTV system will be installed or the existing system maintained, such system to be fit for purpose. The system will incorporate a camera covering the car park, each of the entrance doors and the areas where alcohol is displayed.

Amended Hours for the sale of alcohol:

Monday to Sunday: 8.00 am – 11.00 pm

During December and the first week of January: 6.00 am – 11.00 pm

REASON: The prevention of public nuisance and the prevention of crime and disorder.

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

In accordance with the Committee Procedure Rule 15.2 (ii)(a), it was

RESOLVED: At 9.55 pm to continue in the normal manner and complete the business remaining on the agenda.

(Note: The meeting having commenced at 7.34 pm, closed at 10.08 pm)

(Signed) COUNCILLOR JOHN NICKOLAY
Chairman

[Note: Licensing Panel minutes are:-

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- (3) not submitted to the next panel meeting for approval.

Reasons: The Licensing Panel is constituted from a pooled membership. Consequently, a subsequent Panel meeting is likely to comprise a different 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 10 OCTOBER 2007

Chairman: * Councillor Marilyn Ashton

Councillors: * Mrinal Choudhury * Julia Merison
 * Graham Henson (2) * Narinder Singh Mudhar
 * Thaya Idaikkadar * Joyce Nickolay
 * Manji Kara (1)

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

[Note: Councillor Mrs Kinnear also attended this meeting to speak on the item indicated at Minute 139 below].

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

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

Ordinary Member

Councillor Don Billson
 Councillor Keith Ferry

Reserve Member

Councillor Manji Kara
 Councillor Graham Henson

139. Right of Members to Speak:

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

Councillor

Councillor Mrs Kinnear

Agenda item

Planning application 1/05

140. 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.

141. Arrangement of Agenda:

RESOLVED: That (1) in accordance with the provisions of the Local Government Act 1985, the following item/information be admitted to the agenda by reason of the special circumstances and grounds for urgency stated:

Agenda Item

Addendum

Special Circumstances / Reasons for Urgency

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.

and;

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

142. **Minutes:**
RESOLVED: That the minutes of the meeting held on 10 September 2007 be taken as read and signed as a correct record.
143. **Public Questions:**
RESOLVED: To note that no public questions were put at the meeting under the provisions of Committee Procedure Rule 19.
144. **Petitions:**
RESOLVED: To note the receipt of the following petition which was referred to the Head of Planning for consideration:
- (i) Petition objecting to planning application P/1702/07/CFU – Cedars Hall, Chicheley Road, Harrow
Mrs Moriarty presented the above petition, which had been signed by 506 people.
145. **Deputations:**
RESOLVED: To note that no deputations were received at the meeting under the provisions of Committee Procedure Rule 17.
146. **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.
147. **Representations on Planning Applications:**
RESOLVED: To note that no representations in relation to planning applications on the agenda were received at the meeting.
148. **Planning Applications Received:**
RESOLVED: That authority be given to the Chief Planning Officer to issue the decision notices in respect of the applications considered, as set out in the schedule attached to these minutes.
149. **Planning Appeals Update:**
The Committee received a report of the Chief Planning Officer which listed those appeals being dealt with and those awaiting decision.
RESOLVED: That the report be noted.
150. **Member Site Visits:**
RESOLVED: To note that there were no Member site visits to be arranged.
(Note: The meeting, having commenced at 6.30 pm, closed at 8.05 pm).

(Signed) COUNCILLOR MARILYN ASHTON
Chairman

SECTION 1 – MAJOR APPLICATIONS

LIST NO:	1/01	APPLICATION NO:	P/1907/07/CFU
LOCATION:	Land rear of 72 Bridge Street, Pinner, HA5 3HZ		
APPLICANT:	Planning Potential for Zed Homes		
PROPOSAL:	Redevelopment: Construction of 30 flats; amenity space and two disabled parking spaces		
DECISION:	REFUSED permission for the development described in the application and submitted plans, as amended on the Addendum, for the following reasons: <ul style="list-style-type: none"> (i) The proposal represents an unacceptable form of development resulting in an unsatisfactory quality of residential environment, which would not integrate well with the neighbouring buildings within the locality, contrary to PPS 3 and HUDP policies D4 and D5. (ii) The development, by reason of its relationship with the commercial development to the rear of Bridge Street, would result in an unsatisfactory outlook to the detriment of the amenities of the future occupiers, contrary to PPS 3 and HUDP policy D4. <p>[Note: The Head of Planning had recommended that the above application be granted].</p>		

LIST NO:	1/02	APPLICATION NO:	P/2286/07/DFU
LOCATION:	Kadwa Patidir Centre, Kenmore Avenue, Harrow, HA3 8LU		
APPLICANT:	PTP Architects for Kadwa Patidir Samaj UK Ltd		
PROPOSAL:	Two storey extensions to community hall to provide dining hall and ancillary facilities involving alterations to provide additional car parking		
DECISION:	GRANTED permission for the development described in the application and submitted plans, subject to the conditions and informatives reported. <p>[Note: The Committee wished it to be recorded that the decision to grant the application was unanimous].</p>		

LIST NO:	1/03	APPLICATION NO:	P/2348/07/DFU
LOCATION:	Carter House, Parr Road, Stanmore, HA7 1LE		
APPLICANT:	Barker Parry Town Planning Ltd for L Lynch Holdings Ltd		
PROPOSAL:	Use of warehouse building (B8 use class) as plant hire/lorry hire service (sui-generis use) with ancillary offices and off-street parking		
DECISION:	DEFERRED to enable further consultation.		

LIST NO:	1/04	APPLICATION NO:	P/2476/07/CFU
LOCATION:	West Coast Main Line adj. Wyevale Garden Centre, Headstone Lane, Harrow, HA2 6NB		
APPLICANT:	David Moss for Network Rail		
PROPOSAL:	Formation of railway maintenance compound track access		
DECISION:	GRANTED permission for the development described in the application and submitted plans, subject to the condition and informative reported. <p>[Note: The Committee wished it to be recorded that the decision to grant the application was unanimous].</p>		

LIST NO:	1/05	APPLICATION NO:	P/1288/07/CFU
LOCATION:	Land adjacent to Arches, Roxeth Green Avenue, South Harrow		
APPLICANT:	Bell Cornwell for ZED Homes Ltd		
PROPOSAL:	Construction of 3 storey office building with undercroft parking, 18 solar panels and 7 micro wind turbines		
DECISION:	REFUSED permission for the development described in the application and submitted plans, as amended on the Addendum, for the following reasons: <ul style="list-style-type: none">(i) The development would represent an unsatisfactory contribution towards the overall redevelopment of the area, would rely entirely for its setting on neighbouring sites and would detract from the high quality of the development of the Biro House site, contrary to PPS 3 and HUDP policy D4.(ii) The undercroft parking area would not have any natural surveillance and would give rise to a risk of crime or fear of crime, contrary to HUDP policy D4 and Section 17 of the Crime and Disorder Act 1998.		
	[Notes: (1) The Committee wished it to be recorded that the decision to refuse the application was unanimous;		
	(2) the Head of Planning had recommended that the above application be granted].		

DEVELOPMENT
MANAGEMENT
COMMITTEE

REPORT OF DEVELOPMENT MANAGEMENT COMMITTEE

MEETING HELD ON 17 OCTOBER 2007

Chairman: * Councillor Marilyn Ashton

Councillors: * Don Billson * Julia Merison
 * Keith Ferry * Narinder Singh Mudhar
 * David Gawn (1) * Joyce Nickolay
 * Thaya Idaikkadar

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

[Note: Councillors Mrs Kinnear and Navin Shah also attended this meeting to speak on the items indicated at Minute 141 below].

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

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

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Mrinal Choudhury	Councillor David Gawn

141. Right of Members to Speak:

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

<u>Councillor</u>	<u>Agenda item</u>
Councillor Mrs Kinnear	Planning application 2/06
Councillor Navin Shah	Planning application 2/08

[Note: Subsequently, planning application 2/06 was deferred, and so Councillor Mrs Kinnear did not speak].

142. Declarations of Interest:

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

- (i) Planning application 2/05 – 169 Malvern Avenue, Harrow
Councillor Joyce Nickolay declared a prejudicial interest in the above item arising from the fact that she lived opposite. Accordingly, she would leave the room and take no part in the discussion or decision-making on the item.
- (ii) Planning application 2/12 – 6 Gerard Road, Harrow
Councillor Narinder Mudhar declared a personal interest in the above item arising from the fact that he lived on the same road but not close to the site. Accordingly, he would remain in the room and take part in the discussion and decision-making on the item.
- (iii) Planning application 2/15 – Elmgrove First School, Kenmore Avenue, Kenton
Councillor Marilyn Ashton declared a personal interest in the above item arising from the fact that she had been a governor of the school for 13 years and had been Chair of the governors. She was no longer a governor. Accordingly, she would remain in the room and take part in the discussion and decision-making on the item.

143. **Arrangement of Agenda:**

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

<u>Agenda item</u>	<u>Special Circumstances / Grounds for Urgency</u>
Addendum	This contained information relating to various items on the agenda and was based on information received after the agenda's dispatch. It was admitted to the agenda in order to enable Members to consider all information relevant to the items before them for decision
11. Planning Applications Received: Item 1/01 – Carter House, Parr Road, Stanmore	This item was deferred, to allow for expiration of the consultation period and consideration of replies, by the Strategic Planning Committee meeting on 10 October 2007, which was after the agenda had been printed and circulated. Members of the SPC indicated that they wished to consider the application at the next planning meeting.
15. Enforcement Notices Awaiting Compliance	This report was late due to low staff resources. The Chairman requested that it be submitted to this meeting for consideration as a matter of urgency.

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

144. **Minutes:**

RESOLVED: That the minutes of the meeting held on 6 September 2007 be taken as read and signed as a correct record.

145. **Public Questions:**

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

146. **Petitions:**

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

- (i) Petitions regarding proposed residential development in the garden of Woodpeckers, Moss Lane, Pinner
The above petition, containing 281 signatures, was presented by Councillor Paul Osborn.

147. **Deputations:**

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

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

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

149. **Representations on Planning Applications:**

RESOLVED: That, in accordance with the provisions of Committee Procedure Rule 18 (part 4B of the Constitution), representations be received in respect of items 1/01, 2/06, 2/08, 2/12 and 2/13 on the list of planning applications.

[Notes: (1) Subsequently, planning applications 1/01, 2/08 and 2/12 were deferred, and so the representations were not received;

(2) during the discussion on the above item, it was moved and seconded that representations be received after the officer had presented the associated report. Having been put to a vote, this was lost].

150. **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.

151. **Grove End, Grove Hill, Middlesex, HA1 3HE:**

The Committee received a report of the Group Manager, Planning and Development in this regard.

RESOLVED: That, having regard to the provision of the Unitary Development Plan and all other material planning considerations (in accordance with Section 172 of the Town and Country Planning Act 1990 (as amended)), the Director of Legal Services be authorised to:

- (a) take all necessary steps for the preparation, issue and service of an Enforcement Notice requiring:
 - (i) the demolition of the outbuilding;
 - (ii) the removal of all resultant debris and reinstatement of the land to its former condition;
- (b) the period for compliance with the steps in (a) (i) and (ii) above would be three months from the date the notice takes effect;
- (c) in the event of non-compliance with the above enforcement notice, to:
 - (i) institute legal proceedings, should it be considered in the public interest to do so, pursuant to Section 179 of the Town and Country Planning Act 1990;
 - (ii) carry out works in default, should it be considered in the public interest and also financially viable to do so, under the provisions of Section 178 of the Town and Country Planning Act 1990.

152. **Member Site Visits:**

RESOLVED: That Member visits to the following sites take place on Saturday 3 November 2007 from 10.00 am:

2/12 – 6 Gerard Road
2/13 – 35 West Drive

153. **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.

(Note: The meeting, having commenced at 6.30 pm, closed at 8.15 pm).

(Signed) COUNCILLOR MARILYN ASHTON
Chairman

SECTION 1 – MAJOR APPLICATIONS

LIST NO:	1/01	APPLICATION NO:	P/2348/07/DFU
LOCATION:	Carter House, Parr Road, Stanmore, HA7 1LE		
APPLICANT:	Barker Perry Town Planning Ltd for L Lynch Holdings Ltd		
PROPOSAL:	Use of warehouse building (B8 use class) as plant hire / lorry hire service (sui-generis use) with ancillary offices and off-street parking		
DECISION:	DEFERED to allow expiration of consultation period and consideration of replies.		

SECTION 2 – OTHER APPLICATIONS RECOMMENDED FOR GRANT

LIST NO:	2/01	APPLICATION NO:	P/1570/07/CFU
LOCATION:	224 High Road, Harrow		
APPLICANT:	Dalton Warner Davies LLP for Fruition Properties Ltd		
PROPOSAL:	Demolition of existing house and erection of part 2 and part 3 storey building comprising of 7 flats; with associated car parking, landscaping and widening of vehicle access to High Road		
DECISION:	GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported. [Note: The Committee wished it to be recorded that the decision to grant the application was unanimous].		

LIST NO:	2/02	APPLICATION NO:	P/1646/07/DFU
LOCATION:	Woodlands, 7 West Drive Gardens, Harrow		
APPLICANT:	Anthony J Blyth and Co for Mr and Mrs A Skone		
PROPOSAL:	Single storey front and two storey rear extension; conversion of roof space to habitable rooms and roof alterations; external alterations		
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:	2/03	APPLICATION NO:	P/1526/07/DFU
LOCATION:	50 Belmont Lane, Stanmore		
APPLICANT:	Mr A S Kassim for Mr Lakhman Lalji and Mrs Amratben Murji		
PROPOSAL:	Demolition of existing dwellinghouse, replacement single/two storey dwellinghouse with integral garage (rvised)		
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:	2/04	APPLICATION NO:	P/2032/07/DFU
LOCATION:	39 Dudley Road, South Harrow		
APPLICANT:	Mr S Reade for Mr T Herlihy		

PROPOSAL: Conversion of dwellinghouse into two flats, front porch and external alterations

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

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

LIST NO: 2/05 **APPLICATION NO:** P/0863/07/DFU

LOCATION: 169 Malvern Avenue, Harrow

APPLICANT: Mr J I Kim/ArchiTech for Ms J Pulnova

PROPOSAL: External alterations; single/two storey side and rear extension and conversion to two self-contained flats

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].

(See also Minute 142).

LIST NO: 2/06 **APPLICATION NO:** P/2042/07/DFU

LOCATION: 43 Winchester Road, Harrow

APPLICANT: M D Designs for Mr S Sharma

PROPOSAL: Single storey rear extension, conversion to two flats

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

- (i) The proposal represents an over-intensive use of the property to the detriment of the amenities of the neighbouring properties by reason of the activity and disturbance which would be generated by converting one family dwelling into two separate units, contrary to HUDP policies D4 and D5.
- (ii) The shared drive gives rise to restricted space on the forecourt for parking and landscaping and will give rise to a cluttered and overcrowded appearance in the street scene, would be out of keeping and would be detrimental to the character of the area, contrary to HUDP policies D4 and D5.

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

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

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

(4) the Committee wished it to be recorded that the decision to refuse the application was unanimous;

(5) the Head of Planning had recommended that the above application be granted].

LIST NO: 2/07 **APPLICATION NO:** P/1971/07/DFU
LOCATION: 41 Elm Park Road, Pinner
APPLICANT: The Gillett Macleod Partnership for Mr F J Balloch
PROPOSAL: Redevelopment to provide two storey detached house with accommodation at loft level, detached garage at rear with access from West End Lane, new crossover to forecourt
DECISION: GRANTED permission for the development described in the application and submitted plans, as amended on the Addendum, subject to the conditions and informatives reported.
[Note: The Committee wished it to be recorded that the decision to grant the application was unanimous].

LIST NO: 2/08 **APPLICATION NO:** P/1936/07/DFU
LOCATION: John Lyon School, Middle Road, Harrow on the Hill
APPLICANT: Kenneth W Reed and Associates for The John Lyon School
PROPOSAL: Retention of temporary classroom for a further period of 3 years
DECISION: DEFERRED for further consideration of an appropriate period for retention.

LIST NO: 2/09 **APPLICATION NO:** P/1669/07/CFU
LOCATION: 7 Rickmansworth Road, Pinner
APPLICANT: The Gillett Macleod Partnership for Rylex Investments
PROPOSAL: Three storey block comprising 4x2 bed flats, 4 covered parking spaces at ground level, one space on forecourt, vehicular access
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: 2/10 **APPLICATION NO:** P/2381/07/CFU
LOCATION: Land at Fentiman Way, South Harrow
APPLICANT: W J Macleod Architect for M D Properties
PROPOSAL: Three storey block of 8 flats; bin store and parking (resident permit restricted)
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: 2/11 **APPLICATION NO:** P/2164/07/DFU
LOCATION: 31 Bellfield Avenue, Harrow, HA3 6ST
APPLICANT: Adrian Salt and Pang Ltd for Mr and Mrs Saad Raja
PROPOSAL: Single and two storey rear extension; two storey infill extension and alterations

- DECISION:** INFORM the applicant that:
- (a) The proposal is acceptable subject to the completion of a legal agreement within six months (or such period as the Council may determine) of the date of the Committee decision on this application to require the implementation of either planning permission P/1425/06/DFU only or the proposal subject to this application P/2164/07/DFU, but not both.
 - (b) A formal decision notice granting permission for the development described in the application and submitted plans, subject to the conditions and informatives reported, will be issued only upon the completion of the aforementioned legal agreement.
- [Note: The Committee wished it to be recorded that the decision to grant the application was unanimous].

LIST NO: 2/12 **APPLICATION NO:** P/2400/07/DFU
LOCATION: 6 Gerard Road, Harrow
APPLICANT: Magan D Solanki for Mr and Mrs J Broughton
PROPOSAL: Two storey side extension; one rear dormer; velux windows on front roof slope; demolition of existing garage and outbuilding
DECISION: DEFERRED for Member site visit.
(See also Minutes 142 and 152).

LIST NO: 2/13 **APPLICATION NO:** P/2317/07/DFU
LOCATION: 35 West Drive, Harrow
APPLICANT: Home Plans for B Landau/Basic Focus
PROPOSAL: Single storey front and rear extensions; roof alterations to form front and rear dormers
DECISION: DEFERRED for Member site visit.
[Notes: (1) Prior to discussing the above application, the Committee received representations from an objector, which was noted;
(2) there was no indication that a representative of the applicant was present and wished to respond;
(3) during discussion on the above item, it was moved and seconded that the application be deferred for a Members site visit. Upon being put to the vote, this was carried].
(See also Minute 152).

LIST NO: 2/14 **APPLICATION NO:** P/2241/07/CFU
LOCATION: Silver Trumpet Public House, 41-43 Station Road, Harrow
APPLICANT: Robin Bretherick Associates for Goldplex Properties Ltd
PROPOSAL: First and second storey rear infill extensions and alterations to existing two flats and conversion of first and second floors of public house building to provide eight self-contained flats and provision of plant room and solar panels at roof top level

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: 2/15 **APPLICATION NO:** P/2558/07/CFU

LOCATION: Elmgrove First School, Kenmore Avenue, Kenton

APPLICANT: David Kann Associates for Harrow Council

PROPOSAL: Alterations and extensions to school

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].

(See also Minute 142).

COUNCIL



**MINUTES
of the
MEETING
of the
COUNCIL
of the
LONDON BOROUGH OF HARROW
held on
THURSDAY 18 OCTOBER 2007**

Present: **The Worshipful the Mayor (Councillor Jean Lammiman)
The Deputy Mayor (Councillor John Nickolay)**

Councillors:

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

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

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

PRAYERS

The meeting opened with Prayers offered by the
Reverend Mike Hall

186. OPENING PROCEEDINGS:**Councillor David Gawn**

The Mayor, on behalf of the Council, took the opportunity of the occasion of this Council meeting to congratulate Councillor David Gawn on having completed a parachute jump in aid of the Mayor's Special Appeal for 2007/08, the Teenage Cancer Trust, on Thursday 27 September 2007. A DVD of the parachute jump was shown to the Council.

Having been invited to speak, Councillor Gawn expressed his gratitude to all those who had sponsored him and to the Mayor for her support, and reported that he had raised approximately £4,000 for the Trust.

187. COUNCIL MINUTES:**RESOLVED:**

THAT THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 12 JULY 2007 BE TAKEN AS READ AND SIGNED AS A CORRECT RECORD, SUBJECT TO THE AMENDMENT OF THE ATTENDANCE LIST TO SHOW COUNCILLOR JEAN LAMMIMAN AS THE WORSHIPFUL THE MAYOR AND COUNCILLOR JOHN NICKOLAY AS THE DEPUTY MAYOR.

188. DECLARATIONS OF INTEREST:

The Mayor invited appropriate declarations of interests by Members of the Council in respect of the business on the Summons.

Councillor Salim Miah declared a personal and prejudicial interest in relation to item 11, Review of Licensing Policy. He left the room during consideration and decision making on this item.

The Leader of the Council declared personal interests on behalf of a number of Councillors from all political Groups in relation to the motion at item 17(1) on 'Retention of Cancer Services at Mount Vernon Hospital.

189. MAYOR'S ANNOUNCEMENT:**RESOLVED:**

THAT THE COUNCIL RECEIVE AND NOTE THE REPORT OF THE WORSHIPFUL THE MAYOR, AS TABLED, UPON HER OFFICIAL DUTIES.

190. PROCEDURAL MOTIONS:

There were no procedural motions from Members of Council.

The Mayor took this opportunity to announce that following the issue of the Council Summons, she had agreed, under Council Procedure Rule 7.2, to the addition of a new item of business to the Summons.

The Mayor informed Council that the additional item related to the membership of the Overview and Scrutiny Committee, as set out in the green page of the tabled documents.

191. PETITIONS:

The following petition was submitted by a Member of Council:

- (1) Submitted by Councillor Mrs Sasi Suresh containing 65 signatures of residents, drawing attention to inconsiderate parking in Hooking Green, and requesting the introduction of double yellow lines around the edge of the Green.

[The petition stood referred to the Traffic and Road Safety Advisory Panel].

192. PUBLIC QUESTIONS:

Further to item 6 on the Summons, no questions from members of the public which complied with Council Procedure Rule 12.3 had been received.

193. COMPREHENSIVE EQUALITIES SCHEME:

At item 7 on the Summons, the Council received a Recommendation from the Cabinet meeting held on 19 July 2007 in this matter.

The Recommendation was formally moved by the Leader of the Council.

Following debate, the meeting moved to a vote on the Recommendation, as printed in the Council Summons; this was carried and adopted.

RESOLVED:

THAT ARTICLE 4.01 OF THE CONSTITUTION, WHICH SPECIFIED ISSUES RESERVED TO COUNCIL TO DETERMINE, BE AMENDED TO INCLUDE EQUALITY SCHEMES.

194. RIGHTS OF WAY IMPROVEMENT PLAN:

Further to item 8 on the summons, the Council received a Recommendation of the Cabinet meeting held on 11 October 2007 in this matter, as tabled.

RESOLVED:

THAT (1) THE RIGHTS OF WAY IMPROVEMENT PLAN BE APPROVED;

(2) THE PUBLICATION OF THE PLAN ON HARROW'S WEBSITE BE AGREED;

(3) THE PLAN BE REASSESSED WITHIN 10 YEARS;

(4) AUTHORITY BE DELEGATED TO THE ENVIRONMENT SERVICES PORTFOLIO HOLDER TO AMEND THE TIMETABLE FOR IMPLEMENTATION OF THE STATEMENT OF ACTION BASED ON AVAILABLE FUNDING OPPORTUNITIES;

(5) AUTHORITY BE DELEGATED TO THE ENVIRONMENT SERVICES PORTFOLIO HOLDER TO DEVELOP THE PROGRAMME OF WORK REQUIRED TO IMPLEMENT THE STATEMENT OF ACTION TAKING INTO ACCOUNT AVAILABLE RESOURCES.

195. CHANGES TO THE NAME AND TERMS OF REFERENCE OF AUDIT COMMITTEE:

(i) At item 9 on the Summons, the Council received a Recommendation of the Audit Committee meeting held on 3 September 2007, which sought to change the name of the Committee to the Governance, Audit and Risk Management Committee, revise its terms of reference, and increase the membership of the Committee to eight.

(ii) The Recommendation, having been formally moved by Councillor John Cowan, was adopted.

(ii) In adopting the Recommendation, Council also received and noted the proportional entitlement to seats on the Committee (Conservative: 5; Labour 3), and received and approved the nominations from the political groups for the membership and Chairman of the Committee, as enclosed in the tabled documentation.

(iv) Additionally, the Leader of the Council suggested that any nomination from the Labour Group to the vacant position in the reserve membership of the Committee be accepted; this was agreed by general assent.

RESOLVED:

THAT (1) THE ABOVE RECOMMENDATION BE ADOPTED AS PRINTED;

(2) THE PROPORTIONAL ENTITLEMENT TO SEATS ON THE GOVERNANCE, AUDIT AND RISK MANAGEMENT COMMITTEE (CONSERVATIVE: 5; LABOUR 3) BE NOTED;

(3) THE CONSEQUENTIAL REVISIONS TO THE TERMS OF REFERENCE AND THE MEMBERSHIP OF THE COMMITTEE BE AGREED AS SET OUT AT APPENDIX 1;

(4) ANY NOMINATION FROM THE LABOUR GROUP FOR THE POSITION OF 3RD LABOUR RESERVE MEMBER BE APPROVED.

196. HEALTHCARE FOR LONDON: A FRAMEWORK FOR ACTION - PREPARING FOR A POSSIBLE JOINT OVERVIEW AND SCRUTINY COMMITTEE::

- (i) Further to item 10 on the Summons, the Council received a Recommendation from the Overview and Scrutiny Committee meeting held on 25 September 2007 in this matter. The Recommendation was formally moved by Councillor Stanley Sheinwald.
- (ii) Councillor Chris Mote moved and Councillor David Ashton seconded an amendment that four Reserve Members be appointed to the pan-London Joint Overview and Scrutiny Committee and that Councillor Mrs Vina Mithani and Barry Macleod-Cullinane be appointed as 1st and 2nd Reserves respectively, and that Councillors Mrs Rekha Shah and Mrs Margaret Davine be appointed as 3rd and 4th Reserves respectively.
- (iii) Following debate, and upon a vote, the amendment outlined at (ii) above was carried.
- (iv) Councillor Mitzi Green then moved and Councillor B E Gate seconded a further amendment that Councillors Mrs Rekha Shah and Mrs Margaret Davine be appointed as 1st and 2nd Reserves respectively and a 3rd Reserve be appointed by the Majority Group.
- (v) Upon a vote, the amendment outlined at (iv) above was not carried.
- (vi) The meeting then moved to a vote on the substantive Recommendation; this was carried and adopted.

RESOLVED:

THAT THE SUBSTANTIVE RECOMMENDATION, AS AMENDED, BE ADOPTED IN THE FOLLOWING FORM:

THAT COUNCILLOR MRS MYRA MICHAEL (ADULT HEALTH AND SOCIAL CARE POLICY LEAD MEMBER FOR SCRUTINY) BE APPOINTED AS THE COUNCIL'S REPRESENTATIVE TO SERVE ON THE PAN-LONDON JOINT OVERVIEW AND SCRUTINY COMMITTEE, AND THAT COUNCILLORS MRS VINA MITHANI, BARRY MACLEOD-CULLINANE, MRS REKHA SHAH (ADULT HEALTH AND SOCIAL CARE PERFORMANCE LEAD MEMBER FOR SCRUTINY) AND MRS MARGARET DAVINE (CHILDREN AND YOUNG PEOPLE POLICY LEAD MEMBER FOR SCRUTINY) BE APPOINTED AS 1ST, 2ND, 3RD AND 4TH RESERVES RESPECTIVELY.

[Note: Councillors Mrinal Choudhury, Bob Currie, Mrs Margaret Davine, Mano Dharmarajah, Keith Ferry, Archie Foulds, B E Gate, David Gawn, Mitzi Green, Graham Henson, Thaya Idaikkadar, Nizam Ismail, Dhirajlal Lavingia, Jerry Miles, Phillip O'Dell, Asad Omar, Raj Ray, Navin Shah, Mrs Rekha Shah, Bill Stephenson and Mrs Sasi Suresh wished to be recorded as having voted against the substantive Recommendation].

197. REVIEW OF LICENSING POLICY:

At item 11 on the Summons, the Council received Recommendation I of the Licensing and General Purposes Committee meeting held on 27 September 2007 in this matter.

The Recommendation was formally moved by Councillor Mrs Lurline Champagne.

RESOLVED:

THAT THE ABOVE RECOMMENDATION BE ADOPTED AS PRINTED.

(See also Minute 188).

198. FEEDBACK AND RECOMMENDATIONS FROM THE MEMBER WORKING GROUP - POLLING DISTRICT REVIEW:

Further to item 12 on the Summons, the Council received Recommendation II of the Licensing and General Purposes Committee meeting held on 27 September 2007 in this matter.

A minor typographical amendment to the Recommendation was moved and adopted.

RESOLVED:

THAT THE RECOMMENDATION, AS AMENDED, BE ADOPTED IN THE FOLLOWING FORM:

THAT (1) THE RECOMMENDATIONS IN RELATION TO INDIVIDUAL POLLING DISTRICTS, AS SET OUT IN APPENDIX A TO THE REPORT BE ENDORSED;

(2) FUTURE REVIEWS OF POLLING DISTRICTS ADDRESS SELECTED PARTS OF THE BOROUGH EACH YEAR, TO ENSURE THAT THE STATUTORY REQUIREMENT TO CONDUCT A REVIEW EVERY FOUR YEARS OF ALL OF THE BOROUGH'S POLLING DISTRICTS ARE MET.

199. RECOMMENDED CONSTITUTIONAL CHANGES:

At item 13 on the Summons, the Council received a recommendation from the Constitution Review Working Group meeting held on 15 October 2007 in this matter.

RESOLVED:

THAT THE PROPOSED CHANGES TO THE AUTHORITY'S CONSTITUTION, AS ENDORSED BY THE CONSTITUTION REVIEW WORKING GROUP AND DETAILED IN ITS REPORT, BE APPROVED.

200. 10TH LONDON LOCAL AUTHORITIES BILL:

Further to item 14 on the Summons, the Council received a report of the Director of Legal and Governance Services in this matter.

Having been formally moved by Councillor Chris Mote and seconded by Councillor Dinesh Solanki, and following debate, it was

RESOLVED:

THAT (1) THE COUNCIL PARTICIPATE IN THE PROMOTION OF THE 10TH LONDON LOCAL AUTHORITIES BILL; AND

(2) THE 10TH LONDON LOCAL AUTHORITIES BILL STATUTORY FIRST RESOLUTION BE ADOPTED AS SET OUT AT APPENDIX 2 TO THESE MINUTES.

201. MEMBERS' ALLOWANCES SCHEME 2007-2008:

(i) At item 15 on the Summons, the Council received a proposal from the Leader of the Council for a revised Members' Allowances Scheme from 1 August 2007 until 31 March 2008.

(ii) A revised Schedule 1 to the Scheme was circulated in the tabled documents.

RESOLVED:

THAT THE REVISED MEMBERS' ALLOWANCES SCHEME FOR 2007-2008, AS SET OUT IN APPENDIX 3 TO THESE MINUTES, BE ADOPTED WITH EFFECT FROM 1 AUGUST 2007 UNTIL 31 MARCH 2008.

202. QUESTIONS WITH NOTICE:

The following question had been submitted by a Member of Council in accordance with Council Procedure Rule 13.2:-

<u>QUESTION BY</u>	<u>QUESTION OF</u>	<u>TEXT OF QUESTION</u>
Councillor Margaret Davine	Portfolio Holder for Adult Services (Councillor Eric Silver)	"Bearing in mind the great interest of stakeholders and local residents in the future of Social Care in Harrow would Cllr Eric Silver in consultation with the Legal Department

1. Prepare a factual statement on the current judicial review on the consultation on FACS criteria addressing such issues as the grounds for the judicial review, the date of the hearing and any other factual matters to be circulated to all Councillors and put on the web site.
2. Assure the Council that as soon as the outcome of the Judicial Review is known a similar factual statement on this will also will be circulated to all councillors and put on the web site.”

[Notes: (i) Under the provisions of Council Procedure Rule 13.4, the question was answered orally by the Leader of the Council;

(ii) under the provisions of Council Procedure Rule 13.5, the Member asked a supplementary question, which was also answered orally].

203. RETENTION OF CANCER SERVICES AT MOUNT VERNON HOSPITAL:

- (i) Councillor Chris Mote moved and Councillor Navin Shah seconded the following motion set out at item 17(1) of the Summons:-

“This Council supports the retention of cancer services at Mount Vernon Hospital and asks the Secretary of State for Health to listen, not only to the Council, but also to the many members of the public and the local MPs who have fought for many years to retain this valuable local service. We urge the Minister to finally resolve this matter by giving a pledge to keep the cancer services at Mount Vernon Hospital”.

- (ii) Councillor Navin Shah moved and Councillor Chris Mote seconded that the motion be sent to the local MPs, the MP for Ruislip and Northwood (London Borough of Hillingdon) and the Secretary of State for Health. Following debate, it was

RESOLVED:

THAT (1) THE MOTION, AS SET OUT AT (i) ABOVE, BE ADOPTED UNANIMOUSLY; AND

(2) THE MOTION BE SENT TO THE TWO MPS FOR HARROW, THE MP FOR RUISLIP AND NORTHWOOD AND THE SCERETARY OF STATE FOR HEALTH.

(See also Minute 188).

204. HARROW HERITAGE TRUST – A PROPOSAL TO SET UP A ‘HARROW HERITAGE BUILDINGS COMMISSION’:

Further to the provisions of Council Procedure Rule 15.6, it was

RESOLVED:

THAT THE MOTION AT ITEM 17(2) OF THE SUMMONS STAND REFERRED TO THE NEXT MEETING OF THE LOCAL DEVELOPMENT FRAMEWORK PANEL, AS BEING A MATTER WITHIN THE REMIT OF THE EXECUTIVE.

205. **MAYOR OF LONDON AND THE GOVERNMENT INITIATIVE TO PROVIDE SUPPORT FOR YOUNG LONDONERS:**

- (i) Councillor Bill Stephenson moved and Councillor Navin Shah seconded the motion at item 17(3) of the Summons.
- (ii) Councillor Mrs Lurline Champagne moved and Councillor Barry Macleod-Cullinane seconded the following amendment, which, after debate and upon a vote, was carried:-

Delete everything after "Council..." and replace with:

...notes the joint consultation by the Mayor of London and the Department for Children, Schools and Families, and fully endorses the efforts being made to support the capital's young people. This Council notes the allocation of £60 million for this project to be spread over the capital's 32 boroughs and The City over a two-year period.

This Council notes, that Harrow's GLA precept has increased 247% since its inception.

Band D GLA Precept

	GLA precept	Annual increase
	£	%
2000-2001	122.98	
2001-2002	150.88	22.69%
2002-2003	173.88	15.24%
2003-2004	224.40	29.05%
2004-2005	241.33	7.54%
2005-2006	254.62	5.51%
2006-2007	288.61	13.35%
2007-2008	303.88	5.29%

Council further notes the Mayor's initiative to provide free travel on London buses for under eighteens, although we remain very concerned by the growth in anti-social behaviour problems on the bus network as a direct result of this scheme. Therefore, this Council supports the Conservative group on the GLA in their efforts to reform the scheme to tackle this worrying problem."

- (iii) The Council was deemed to have adopted the substantive motion, as amended, in the following form:-

"Council notes the joint consultation by the Mayor of London and the Department for Children, Schools and Families, and fully endorses the efforts being made to support the capital's young people. This Council notes the allocation of £60 million for this project to be spread over the capital's 32 boroughs and The City over a two-year period.

This Council notes, that Harrow's GLA precept has increased 247% since its inception.

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2007-2008	303.88	5.29%

Council further notes the Mayor's initiative to provide free travel on London buses for under eighteens, although we remain very concerned by the growth in anti-social behaviour problems on the bus network as a direct result of this scheme. Therefore, this Council supports the Conservative group on the GLA in their efforts to reform the scheme to tackle this worrying problem."

RESOLVED:

THAT THE SUBSTANTIVE MOTION, AS AMENDED, BE ADOPTED AS SET OUT IN (iii) ABOVE.

[Note: Councillors Mrinal Choudhury, Bob Currie, Mrs Margaret Davine, Mano Dharmarajah, Keith Ferry, Archie Foulds, B E Gate, David Gawn, Mitzi Green, Graham Henson, Thaya Idaikkadar, Nizam Ismail, Dhirajlal Lavingia, Jerry Miles, Phillip O'Dell, Asad Omar, Raj Ray, Navin Shah, Mrs Rekha Shah, Bill Stephenson and Mrs Sasi Suresh wished to be recorded as having voted against the amendment and the substantive Motion].

206. CAPITAL FUNDING INITIATIVE FOR HARROW SCHOOLS:

(i) Councillor Bill Stephenson moved and Councillor Navin Shah seconded the motion at item 17(4) of the Summons.

(ii) Councillor Miss Christine Bednell moved and Councillor Janet Mote seconded the following amendment, which after debate and upon a vote, was carried:-

Delete everything after "Council welcomes..." and replace with:

...capital funding for Harrow schools, but would remind Government that inadequate revenue grants are bearing down unfairly on the people of Harrow.

The Council notes that taking all government grants together Harrow receives an average of £145 per head less than its nearest neighbours and £572 per head less than the London average. That is £30m and £120m respectively. For the main formula grant Harrow will receive £284 per head in government grant for 07-08 compared to the England average of £506 and the Outer London average of £360. That is a shortfall of £47m and £16m respectively. As a matter of urgency, this Council calls upon Tony McNulty MP and Gareth Thomas MP to support this motion and make representations to the Department for Communities and Local Government, on behalf of the residents to ensure the borough gets a fairer deal."

(iii) The Council was deemed to have adopted the substantive motion, as amended, in the following form:-

"Council welcomes capital funding for Harrow schools, but would remind Government that inadequate revenue grants are bearing down unfairly on the people of Harrow.

The Council notes that taking all government grants together Harrow receives an average of £145 per head less than its nearest neighbours and £572 per head less than the London average. That is £30m and £120m respectively. For the main formula grant Harrow will receive £284 per head in government grant for 07-08 compared to the England average of £506 and the Outer London average of £360. That is a shortfall of £47m and £16m respectively. As a matter of urgency, this Council calls upon Tony McNulty MP and Gareth Thomas MP to support this motion and make representations to the Department for Communities and Local Government, on behalf of the residents to ensure the borough gets a fairer deal."

RESOLVED:

THAT THE SUBSTANTIVE MOTION, AS AMENDED, BE ADOPTED AS SET OUT IN (iii) ABOVE.

207. SAFER NEIGHBOURHOOD TEAMS IN HARROW:

- (i) Councillor Graham Henson moved and Councillor Mrinal Choudhury seconded the motion at item 17(5) of the Summons.
- (ii) Councillor Susan Hall moved and Councillor Julia Merison seconded the following amendment which after debate and upon a vote was carried:-

Delete everything after "Council..." and replace with:

...expresses its appreciation to the Metropolitan Police Service for the successful roll out of Safer Neighbourhood Teams.

The Council can rightfully celebrate its own visionary partnership work, which has manifested itself in a series of pioneering and highly successful schemes, such as Borough Beat, the roll out of CCTV throughout the borough, Community Payback and Weeks of Action. Council notes the significant strides made by Council's joint effort with local agencies to reduce crime and the fear of crime and supports further efforts to ensure that the borough remains a place where people want to work and live."

- (iii) The Council was deemed to have adopted the substantive motion, as amended, in the following form:-

"Council expresses its appreciation to the Metropolitan Police Service for the successful roll out of Safer Neighbourhood Teams.

The Council can rightfully celebrate its own visionary partnership work, which has manifested itself in a series of pioneering and highly successful schemes, such as Borough Beat, the roll out of CCTV throughout the borough, Community Payback and Weeks of Action. Council notes the significant strides made by Council's joint effort with local agencies to reduce crime and the fear of crime and supports further efforts to ensure that the borough remains a place where people want to work and live."

RESOLVED:

THAT THE SUBSTANTIVE MOTION, AS AMENDED, BE ADOPTED AS SET OUT AT (iii) ABOVE.

208. DECISIONS TAKEN UNDER THE URGENCY PROCEDURE BY PORTFOLIO HOLDERS/LEADER:

The meeting received a report of the Director of Legal and Governance Services, which provided a summary of the urgent decisions taken since the Council meeting on 12 July 2007.

RESOLVED:

THAT THE URGENT DECISIONS TAKEN BY PORTFOLIO HOLDERS AND THE LEADER SINCE THE COUNCIL MEETING ON 12 JULY 2007, AS NOW REPORTED, BE NOTED.

209. MINOR DECISION ON A MATTER RESERVED TO COUNCIL:

In accordance with the delegations to Chief Officers, the Leaders of each of the political groups on the Council had been consulted on and agreed a minor decision on behalf of the Council, being a matter reserved to Council.

RESOLVED:

THAT THE DECISION TAKEN UNDER DELEGATION TO CHIEF OFFICERS ON BEHALF OF THE COUNCIL, TO APPOINT LAY AND OTHER MEMBERS TO

HARROW'S EDUCATION APPEALS PANEL FOR THE 2007/08 ACADEMIC YEAR, AS NOW REPORTED, BE NOTED.

210. **APPOINTMENT OF A PROPER OFFICER:**

RESOLVED:

TO APPOINT THE DIRECTOR OF LEGAL AND GOVERNANCE SERVICES AS THE PROPER OFFICER OF THE LONDON BOROUGH OF HARROW IN ACCORDANCE WITH S270(3) OF THE LOCAL GOVERNMENT ACT 1972.

211. **AMENDMENT TO THE CONSERVATIVE MEMBERSHIP OF THE OVERVIEW AND SCRUTINY COMMITTEE:**

Further to the admittance of this item to the Summons under Council Procedure Rule 7.2 (Minute 190 above refers), it was

RESOLVED:

THAT THE REVISED CONSERVATIVE GROUP MEMBERSHIP OF THE OVERVIEW AND SCRUTINY COMMITTEE FOR THE MUNICIPAL YEAR 2007/08, AS SET OUT IN APPENDIX 4 TO THESE MINUTES, BE AGREED.

(CLOSE OF MEETING: All business having been completed, the Mayor declared the meeting closed at 10.05 pm).

APPENDIX 1TERMS OF REFERENCE FOR GOVERNANCE, AUDIT AND RISK MANAGEMENT COMMITTEE

- a) To ensure that the Council's governance framework is in line with current guidance and best practice
- b) To review the Council's governance framework and annual improvement plan and monitor progress
- c) To review the Council's risk management strategy and monitor progress on risk management
- d) To monitor the Council's insurance arrangements
- e) To review the Council's emergency planning and business continuity arrangements and monitor progress on emergency planning and business continuity
- f) To review the Council's Health and Safety arrangements and monitor progress on Health and Safety
- g) To approve the financial statements of the authority
- h) To review the internal control arrangements and changes thereto and approve the Statement on Internal Control prior to sign off
- i) To monitor compliance with internal controls
- j) To consider matters arising from External Audit work which are required to be communicated to those charged with governance under the Statement of Auditing Standards (**ISA260**)
- k) To receive and consider the Annual Audit and Inspection Letter (or equivalent) and make recommendations as appropriate
- l) To scrutinise/comment on the Internal Audit three year strategic plan and annual plan
- m) To monitor progress against the Internal Audit plan and receive summaries of audit work completed and key recommendations
- n) To consider all individual Internal Audit reports on a regular basis
- o) To scrutinise/comment on the External Audit plan
- p) To monitor progress against the External Audit plan and receive summaries of audit work completed and key recommendations
- q) To consider individual External Audit (or external agency) reports as appropriate
- r) To review the management response to audit and regulatory recommendations and progress on implementation of recommendations
- s) To recommend action where audit and regulatory recommendations are not being implemented
- t) To monitor on a regular basis the Council's approach to tackling fraud and corruption and promote an anti-fraud culture

GOVERNANCE, AUDIT AND RISK MANAGEMENT COMMITTEE (8)**Conservative****Labour**

(5)

(3)

I.
Members**Robert Benson
John Cowan (CH)
Richard Romain
Anthony Seymour
Dinesh Solanki****Archie Foulds
Thaya Idaikkadar
Bill Stephenson****II.**
Reserve
Members**1. Jeremy Zeid
2. Barry Macleod-Cullinane
3. Manji Kara
4. Tom Weiss
5. Stanley Sheinwald****1. Keith Ferry
2. Nizam Ismail
3. -**

APPENDIX 2

October 2007

FIRST RESOLUTION OF COUNCIL**HARROW LONDON BOROUGH COUNCIL**

RESOLVED -

That the Council approves the inclusion in a bill or bills to be promoted by Westminster City Council or, as the case may be in a bill or bills to be promoted jointly by Westminster City Council and any other person as appropriate, of provisions effecting all or some of the following purposes -

- (a) to make provision about the decriminalisation of offences relating to public health, highways and road traffic and making contravention of the relevant legislation subject to a civil penalty charge regime; the introduction of a local levy, administered by London borough councils, on the provision of disposable shopping bags or to introduce a prohibition on the provision of disposable shopping bags; the introduction of a local levy administered by the London borough councils on the sale of chewing gum; an extension of the type of premises in respect of which a street litter control notice can be issued under the Environmental Protection Act 1990 to include a wider range of non-domestic premises; to enable councils to better control the feeding of wild birds; to enable borough councils to make charges for the use of urinals; to make further provision about the control of the placing of items on the highway; altering London borough councils' powers to fix signs and apparatus to buildings; amending London borough councils' powers to charge for the provision of amenities on highways under Part VIIA of the Highways Act 1980; controlling the placing of household waste in street litter bins; to enable London borough councils to recover costs incurred by them in rectifying damage caused by them when removing unlawful advertisements; to enable London borough councils, as local housing authorities, to take enforcement action and recover costs in cases where there has been a failure to comply with a duty imposed in relation to the management of houses in multiple occupation under regulations made under Section 234 of the Housing Act 2004; imposing a requirement in respect of food premises which are subject to inspection by London borough councils under the Food Safety Act 1990 to display copies of inspection notices or summaries thereof on the premises; to impose a new licensing regime for social clubs; to alter the requirements relating to the service of documents under the City of Westminster Act 1996, which deals with sex establishments; to enable London borough councils to exert better control over the licensing of premises which, but for the Licensing Act 2003 would be required to be licensed as sex encounter establishments; to enable London borough councils to delegate their functions under existing street trading legislation and enable other bodies to manage street markets; to alter the street trading legislation in the City of Westminster so as to enable Westminster City Council, without a court order, to dispose of articles seized under the Act; to make further alterations to street trading legislation in London; to control the distribution of free refreshments on the highway and in other public open places; to enable the highway authority to recover traffic management

and street cleansing costs incurred as a result of public events and to have the power to close or manage traffic for certain special events; to enable the highway authority to provide charging points for electric vehicles in the highway; to enable local planning authorities to require that a deposit is provided prior to commencement of development, to be offset against costs arising from making good damage to the highway caused by the construction of the development; to enable action to be taken against persons who interfere with gates placed in pursuance of powers under road traffic legislation; to enable councils to better control pedicabs; to enable councils to serve penalty charge notices by post where there has been a parking contravention, and where service was prevented by the vehicle driving away; to allow decriminalised enforcement in respect of advanced stopping areas for cyclists at traffic lights; to allow decriminalised enforcement in respect of the use of mobile phones whilst driving; to enable London borough councils to vary fixed penalty levels for cycling on the footway; to enable the better control of the depositing of builders' skips on the highway; and to provide for a decriminalised regime of enforcement in relation to the driving of abnormal vehicles on the highway;

- (b) to enact any additional, supplemental and consequential provisions that may appear to be necessary or convenient.

APPENDIX 3LONDON BOROUGH OF HARROWMEMBERS' ALLOWANCES SCHEME

1. This scheme shall have effect until 31st March 2008. It replaces all former schemes.

Basic Allowance

2. A basic allowance of £6,526 per annum shall be paid to each Councillor.

Special Responsibility Allowance

3. (1) A special responsibility allowance shall be paid to those Councillors who have the special responsibilities in relation to the posts specified in Schedule 1 to this scheme. No Member may receive special responsibility allowances in respect of more than one post.
(2) The amount of each such allowance shall be the amount specified against that special responsibility in that schedule.

Up-rating the Basic and Special Responsibility Allowances

4. The basic allowance and special responsibility allowances will be up-rated annually in line with an index approved by the ALG Independent Panel. The index to be used will be the level of the Local Government Pay Settlement. When making the scheme for 2008/2009, the indexing arrangements will be reviewed.

Travel and Subsistence Allowances

5. The reimbursement of travel and subsistence expenses incurred in respect of **approved duties** (as set out in Schedule 2) **undertaken outside the Borough boundaries** can be claimed by Members, co-optees to formal Council committees and Independent Members of the Standards Committee at the rates paid and on the conditions specified in the officer scheme for travel and subsistence allowances.

Carers' Allowance

6. (1) The allowance shall only be paid for attendance at approved duties as listed in Appendix A.
(2) The maximum basic rate of pay is £2.77 per half hour for the duration of the meeting together with the Member's travel time between home and the place of the meeting and the carer's reasonable travelling time.
(3) The allowance is claimable in respect of children aged 15 or under or where a professional carer is required to meet a specialist need (eg a nurse for an elderly person).
(4) Actual costs will be paid **on production of an invoice or receipt**.
(5) Where the length of the meeting cannot be predicted and payment to the carer is necessarily contractually committed then a payment of up to 4 hours will be made. (For day time quasi-judicial meetings, payment of up to 8 hours may be made if the estimated length of the meeting is for the whole day).
(6) In addition, the reasonable travelling expenses of the person taking care of the dependent shall be reimbursed either at the appropriate public transport rate, or in cases of urgency or where no public transport is available, the amount of any taxi fare actually paid.
(7) The allowance is not to be paid where the carer is a member of the Member's household.

- (8) Any dispute as to the entitlement and any allegation of abuse should be referred to the Standards Committee for adjudication.

Co-optees' Allowance

7. A basic allowance of £423 per annum shall be paid to co-optees to formal Council committees and Independent Members of the Standards Committee.

Claims and Payments

8. (1) A claim for allowances or expenses under this scheme shall be made in writing within two months of the date of undertaking the duty in respect of which the entitlement to the allowance or expense relates.
- (2) Payment shall be made
- (a) in respect of basic and special responsibility allowances, in instalments of one-twelfth of the amount specified in this scheme each month;
- (b) in respect of out-borough travel and subsistence expenses and Carers' Allowance, each month in respect of claims received up to one month before that date.

Backdating

9. Any changes made to this scheme during the year may be backdated to 1st April 2007 by resolution of the Council when approving the amendment.

Pensions

10. Allowances paid under the Harrow Members' Allowances Scheme will **not** be pensionable for the purposes of the Superannuation Act.

Renunciation

11. A person may, by notice in writing given to the Chief Executive, elect to forgo any part of his/her entitlement to an allowance under this scheme.

Withholding Allowances

12. (1) In the event that a Member is suspended from duties, that Member's basic allowance and special responsibility allowance (if any) will be withheld for the whole period of the Member's suspension.
- (2) In the event that a Member is partially suspended from duties, that Member's basic allowance will be paid but their SRA, if any, will be withdrawn for the period of the partial suspension.

Appendix A**Approved duties for Carers' Allowance**

- A meeting of the Executive.
- A meeting of a committee of the executive.
- A meeting of the Authority.
- A meeting of a committee or sub-committee of the Authority.
- A meeting of some other body to which the Authority make appointments or nominations, or
- A meeting of a committee or sub-committee of a body to which the Authority make appointments or nominations.
- A meeting which has both been authorised by the Authority, a committee, or sub-committee of the Authority or a joint committee of the Authority and one or more other authorities, or a sub-committee of a joint committee and to which representatives of more than one political group have been invited (if the Authority is divided into several political groups) or to which two or more councillors have been invited (if the authority is not divided into political groups).
- A meeting of a Local Authority association of which the Authority is a member.
- Duties undertaken on behalf of the Authority in pursuance of any Procedural Rule of the Constitution requiring a member or members to be present while tender documents are opened.
- Duties undertaken on behalf of the Authority in connection with the discharge of any function of the Authority conferred by or under any enactment and empowering or requiring the Authority to inspect or authorise the inspection of premises.
- Duties undertaken on behalf of the Authority in connection with arrangements made by the authority for the attendance of pupils at a school approved for the purposes of section 342 of the Education Act 1996.

SCHEDULE 1

SPECIAL RESPONSIBILITY ALLOWANCES (SRAs)

There are 7 bands of SRAs:-

Band	Post	SRA - £/annum
1	Leader of the third largest Group Deputy Leader of the second largest Group Chief Whips of the two largest Groups Chairman of the Governance, Audit and Risk Management Committee Performance Lead Member for Scrutiny Policy Lead Member for Scrutiny	1,233
2	Chairman of the Licensing and General Purposes Committee Chairman of the Standards Committee Performance Lead Member for Scrutiny with statutory responsibility Policy Lead Member for Scrutiny with statutory responsibility Support Members for Cabinet Deputy Mayor	2,466
3	Chairman of the Traffic Advisory Panel Chairman of the Grants Advisory Panel Nominated Member of the largest party not holding the Chair of the Development Management Committee	4,932
4	Chairman of the Development Management Committee Chairman of the Overview and Scrutiny Committee Chairman of the Performance and Finance Scrutiny Sub-Committee Nominated Member of the largest party not holding the Chair of the Overview and Scrutiny Committee Nominated Member of the largest party not holding the Chair of the Performance and Finance Scrutiny Sub-Committee Leader of the Second Largest Group	6,936
5	The Mayor	10,050
6	Cabinet Members x 8 Deputy Leader	13,233
7	Leader	19,848

NOTE

In the Council for 2006 to 2010, the Groups are as follows:-

Largest Group = Conservative Group

Second Largest Group = Labour Group

Third Largest Group = Liberal Democrat Group

SCHEDULE 2

CLAIMS FOR OUT-OF-BOROUGH TRAVEL AND SUBSISTENCE EXPENSES

Duties Undertaken Out-of-Borough

Claims for travel and subsistence expenses incurred can normally only be paid in respect of approved duties undertaken at venues out of the Borough. Expenses will be reimbursed at the rates paid and on the conditions specified in the officer scheme for travel and subsistence allowances.

1. Members may claim travel and subsistence expenses in respect of the following **out-of-Borough** duties:-
 - (a) Attendance at any meeting which may be convened by the Authority provided that Members of at least two groups are invited and the meeting is not convened by officers.
 - (b) Attendance at a meeting of an outside body to which the Member has been appointed or nominated as a representative of the Council, where the Outside Body does not itself operate a scheme to reimburse travel and subsistence expenses.
 - (c)
 - (i) attendance at an appropriate out-of-Borough conference, seminar, meeting or other appropriate non-political event as a representative of an Outside Body to which that Member has been either nominated or appointed by Council to serve in a role with a specific pan-Authority remit;
 - (ii) attendance at meetings in the capacity of a direct appointee of a Local Authority Association, joint or statutory body or other London-wide or national body subject to the following proviso:
*that the Member serves on the appointing body by virtue of an appointment made by Council to an authorised Outside Body;*subject in either case to the Outside Body/Bodies concerned themselves not making provision for any travel and subsistence expenses necessarily incurred.
 - (d) Attendance at a meeting of any association of local authorities of which the Authority is a member and to which the Member has been appointed as a representative.
 - (e) Attendance at a training session, conference, seminar or other non-political event, the attendance fees for which are being funded by the Council through a Departmental or a corporate budget.
 - (f) Attendance at any training session, conference, seminar or other non-political event for which there is either no attendance fee or any attendance fee is being met by the Member him/herself (or from the relevant political group secretariat budget) subject to the relevant Director confirming that the content of the training, conference, seminar or event is relevant to the Member's responsibilities in respect of the services provided by the Authority or to the management of the Authority.
2. Duties for which out-of-Borough travel and subsistence expenses may not be claimed include:-
 - (a) Political meetings or events.
 - (b) Any meetings of 'Outside Bodies' to which the Member has not been appointed or nominated by the Council as its representative.
 - (c) Meetings of the Governing Bodies of Schools.

APPENDIX 4OVERVIEW AND SCRUTINY COMMITTEE (12)

	<u>Conservative</u>	<u>Labour</u>
	(8)	(4)
<u>I.</u> <u>Members</u>	Janet Cowan Manji Kara Mrs Myra Michael Anthony Seymour Stanley Sheinwald * (CH) Dinesh Solanki Yogesh Teli Mark Versallion	Mrs Margaret Davine B E Gate Mitzi Green (VC) * Jerry Miles
<u>Reserve</u> <u>Members</u>	1. Robert Benson 2. Ashok Kulkarni 3. Mrs Kinnear 4. Barry Macleod-Cullinane 5. Mrs Lurline Champagne 6. Mrs Vina Mithani 7. Jeremy Zeid 8. Don Billson	1. Bill Stephenson 2. Phillip O'Dell 3. Navin Shah 4. Mrs Rekha Shah
	Voting Co-opted Members: (1) Two representatives of Voluntary Aided Sector - Mrs J Rammelt/Reverend P Reece (2) Two representatives of Parent Governors - Mrs D Speel (Primary)/Mr R Chauhan (Secondary)	
[Notes:	(1) The Chairman of the substantive Scrutiny Sub Committee is an ex officio member of the Overview and Scrutiny Committee]. (2) The Scrutiny Leads should be main members of their respective committees].	
(CH)	= Chair	
(VC)	= Vice-Chair	
*	Denotes Group Members for consultation Delegated Action and/or on administrative matters.	

THE CABINET,
CABINET ADVISORY PANELS,
CONSULTATIVE FORUMS
AND
PORTFOLIO HOLDER MEETINGS

PORTFOLIO HOLDER
DECISION MEETING

PORTFOLIO HOLDER DECISION MEETING

5 OCTOBER 2007

Councillors: * Chris Mote

* Denotes Member present

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**36. **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.

37. **Minutes:**

RESOLVED: That the minutes of the meetings held on 4 May and 12 June 2007 be taken as read and signed as a correct record.

38. **Petitions:**

RESOLVED: To note that no petitions were received under the provisions of Executive Procedure Rule 15 (Part 4D of the Constitution).

39. **Public Questions:**

RESOLVED: To note that no public questions were received under the provisions of Executive Procedure Rule 16 (Part 4D of the Constitution).

40. **Matters referred to the Executive Member:**

RESOLVED: That no matters had been referred to the Executive Member for reconsideration in accordance with the provisions contained in the Overview and Scrutiny Procedure Rule 22 (Part 4F of the Constitution).

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

RESOLVED: To note that no reports had been received.

42. **Local Development Scheme (LDS) Progress Report:**

The Leader of the Council considered the report from the Local Development Framework (LDF) Advisory Panel seeking agreement of the revised Local Development Scheme. It involved the taking of an urgent key decision. The Leader noted that the report was not available at the time the agenda was printed and circulated as the Panel, making the recommendation, met two days before the dispatch of the agenda.

The agreement of the Chairman of the Overview and Scrutiny Committee that the decision would not be subject to call-in had been obtained. The Leader also considered the minutes of the Panel together with the report of the Director of Planning Development and Enterprise considered by the Panel.

An officer explained that Appendices 1 and 2 had been revised after the Panel had met in order to amend discrepancies in the timetable. The revisions were set out in the papers circulated with the agenda. Appendix 4 – Programme for Replacement of Existing Policies was tabled by the officer. It was confirmed that Members of the Panel had agreed to the amendments in the appendices.

RESOLVED: That (1) the revised Local Development Scheme (LDS) and timetables for document preparation, as set out at Appendices 1 and 2 to the agenda, be approved;

(2) the revised LDS be submitted to the Secretary of State;

(3) subject to the Secretary of State not directing any changes to the revised LDS, that the revision be brought into effect;

(4) the key role of the Local Development Framework in taking forward flagship actions and the Sustainable Community Plan be noted;

(5) the revised LDS and timetable be forwarded to the Greater London Authority for their information.

Reason for Decision: To comply with government recommendations and best practice. To meet the Council's statutory duty to keep the LDF up to date.

(Note: The meeting having commenced at 12.10 pm, closed at 12.18 pm)

(Signed) COUNCILLOR CHRIS MOTE

CABINET

REPORT OF CABINET

MEETING HELD ON 11 OCTOBER 2007

Chairman: * Councillor Chris Mote

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

* Denotes Member present

PART I - RECOMMENDATIONS

RECOMMENDATION I - Key Decision - Rights of Way Improvement Plan

The Corporate Director (Community and Environment) introduced the report which set out the background to the development of the Rights of Way Improvement Plan (ROWIP).

Resolved to RECOMMEND:

That (1) the Rights of Way Improvement Plan be approved;

(2) the publication of the Plan on Harrow's website be agreed;

(3) the Plan be reassessed within 10 years;

(4) authority be delegated to the Environment Services Portfolio Holder to amend the timetable for implementation of the Statement of Action based on available funding opportunities;

(5) authority be delegated to the Environment Services Portfolio Holder to develop the programme of work required to implement the Statement of Action taking into account available resources.

Reason for Recommendation: This is a statutory plan that sets out a Borough wide strategy for the future of rights of way in Harrow. The Borough is legally required to have published the Plan by November 2007.

PART II - MINUTES292. **Declarations of Interest:**

RESOLVED: To note that no interests were declared.

293. **Minutes:**

RESOLVED: That the minutes of the meeting held on 19 July 2007 and 25 July 2007, be taken as read and signed as correct records.

294. **Arrangement of Agenda:**

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

295. **Petitions:**

RESOLVED: To note that no petitions were received.

296. **Public Questions:**

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

1.

Questioner: Yvonne Lee

Asked of: Councillor Eric Silver, Adult Services

Question: We understand that the standard of 28 days from referral to assessment is a legal requirement for the older service user but a target for all service user groups. Please can you tell us what proportion of assessment for people with learning disabilities meet this target and what the average waiting time for an assessment for person with a learning disability is?

2.

Questioner: Angela Dias

Asked of: Councillor Eric Silver, Adult Services

Question: Service users in Harrow have expressed concerns that the quality of assessments has fallen recently, and this fact is causing many people some distress. Given that the Council has no absolute definition of what 'critical' or 'substantial' means, and that care managers are being forced to assess people's needs in a different way than they have previously worked in relation to current cost pressures, how is this being addressed in a meaningful way?

[Notes: (i) An oral answer was provided to each of these questions

(ii) under the provisions of Executive Procedure Rule 16.4, questioner 1 asked a supplementary question which was answered].

297. **Councillor Question Time:**

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

1.

Questioner: Councillor Margaret Davine

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

Question: At the meetings of the Cabinet on July 19/25 it was agreed that £250K should be allocated to the Voluntary Sector for helping people whose care needs were classified as substantial. Could Cllr Silver say what steps have been taken in preparation to implement this decision and, in particular, could he indicate what consultations have taken place with stakeholders in the Voluntary Sector and the criteria which will be used to determine what

organisations and which people will be eligible to receiving this money from this funding?

2.

Questioner: Councillor Margaret Davine

Asked of: Councillor Anjana Patel, Portfolio Holder for Community and Cultural Services

Question: Could Cllr Patel give an update on the current position concerning the future of Flash Musicals?

3.

Questioner: Councillor Keith Ferry

Asked of: Councillor Paul Osborn, Portfolio Holder for Strategy and Business Support

Question: Could Cllr Paul Osborn confirm that, as very widely predicted, that the Council's whole communications budget has been awarded to Westminster City Council and that they were the sole group who actually tendered for this?

[Note: An oral answer was provided to each of these questions. Under the provisions of Rule 17.4, all questioners asked a supplementary to each question, which were also answered].

298. **Forward Plan 1 October 2007 - 31 January 2008:**

RESOLVED: To note the contents of the Forward Plan for the period 1 October 2007 – 31 January 2008.

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

RESOLVED: To note that there were no reports to be considered.

300. **Key Decision - Strategic Approach to School Organisation:**

The Director of Schools and Children's Development introduced the report which outlined the reasons for considering a strategic approach to school organisation at this time and proposed a framework for seeking stakeholder support for a way forward.

The Portfolio Holder for Schools and Children's Development reported that formal consultation carried out in 2002 with stakeholders had identified wide support for the proposed changes, and further extensive consultation was planned. It was anticipated that the proposed change would assist with retention of children in the Borough's schools past primary age. The Portfolio Holder for Children's Services echoed her support for the proposed changes which she felt would enhance Harrow's highly valued and diverse community.

RESOLVED: That (1) commitment be affirmed to implementing a change in the age of transfer from 12 to 11 years;

(2) a stakeholder reference group be established;

(3) the submission of a revised Building Schools for the Future (BSF) bid in accordance with the Department for Children, Schools and Families guidance be agreed;

(4) an amended amalgamation policy be agreed.

Reason for Decision: To deliver school re-organisation so that Harrow schools are in line with the national agenda.

301. **Key Decision - Rights of Way Improvement Plan:**
(See Recommendation I).

302. **Integrated Planning 2008-09 to 2010-11:**

The Corporate Director (Finance) introduced the report which provided an update on progress in relation to Integrated Planning for 2008-09 to 2010-11. She highlighted the

current position in relation to the funding gap and outlined the pressures facing the Council and the strategies which were being adopted to close the gap.

The Portfolio Holder for Finance and Portfolio Coordination explained that the predicted funding gap for future years was subject to change as it was based on an assumed 1% grant increase. He reported that next year, for the first time, the Corporate Plan would be produced coterminously with the budget, which would ensure that the Council's priorities were reflected in the budget.

Members thanked the Corporate Director (Finance) for a transparent and clear report.

RESOLVED: That the progress to date be noted and the strategy for closing the funding gaps be endorsed.

Reason for Decision: To ensure that the Council adheres to the agreed timetable for integrated planning, culminating in the approval of the corporate plan and medium term financial strategy in February 2008.

303. **Quarter 1 Revenue and Capital Monitoring as at 30 June 2007:**

The Corporate Director (Finance) introduced the report which set out the monitoring of Council's revenue and capital budgets and is critical to effective financial management of the Authority. Regular budget monitoring remains critical for 2007-2008 given the low level of reserves. She highlighted that £1m would be added to the reserves which would provide the Council with a firmer financial footing.

The Portfolio Holder for Finance and Portfolio Coordination reported that the Budget Review Working Group had considered the report and asked detailed questions.

RESOLVED: That (1) the current revenue and capital monitoring position at the end of the first quarter for 2007-2008 be noted;

(2) the strategy for ensuring that the Council comes in on budget this year;

(3) the virements summarised in paragraph 17 be approved.

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

304. **Strategic Performance Report – Quarter 1 2007/08:**

The Corporate Director (Strategy and Business Support) introduced the report, which summarised Council and service performance against key measures and drew attention to areas requiring action. She highlighted that good overall progress was being made and advised that the approach to the Strategic Performance Report would be revised in light of the Corporate Spending Review.

The Portfolio Holder for Strategy and Business Support emphasised the importance of putting performance management at the heart of the Council's work to ensure that high standards were achieved and maintained. The Leader of the Council and Portfolio Holders for Adult Services, Children's Services, Housing and Environment Services highlighted key achievements in their areas.

RESOLVED: That (1) Portfolio Holders be requested to work with officers to achieve improvement against identified key challenges and receive monthly updates;

(2) the report be noted and to identify any changes it wishes to see in future reports.

Reason for Decision: To enable Cabinet to be informed of performance against key measures and to identify and assign corrective action where necessary.

(Note: The meeting, having commenced at 7.30 pm, closed at 8.32 pm).

(Signed) COUNCILLOR CHRIS MOTE
Chairman

HARROW
ADMISSIONS
FORUM

HARROW ADMISSIONS FORUM**9 OCTOBER 2007**

Chairman:	* Councillor Mrs Janet Cowan		
Councillors:	* Dinesh Solanki * Bill Stephenson		
Community School Representatives:	<u>Governor</u> (Vacancy)	<u>Primary</u> † Sue Jones	<u>Secondary</u> Allan Jones
Jewish School Representative:	Mrs D Palman		
Roman Catholic School Representative:	Mike Murphy		
Church of England School Representative:	* Mrs S Hinton		
Church of England Diocese Representative:	* Rev Paul Reece		
Catholic Schools Diocese Representative:	* Mr Billiet		
Primary Elected Parent Governor Representative:	* Mrs D Speel		
Secondary Elected Parent Governor Representative:	Mr R Chauhan		
Harrow Council for Racial Equality Representative:	Prem Pawar		
Early Years Development Partnership Representative:	* Helena Tucker		
Children's Services Representative:	(Vacancy)		

* Denotes Member present
† Denotes apologies received

PART I - RECOMMENDATIONS**RECOMMENDATION 1 - Annual Report on Schools Admissions within Harrow 2007**

The Forum considered a report of the Director of Schools and Children's Development which set out the annual report on school admissions in Harrow in 2007/08.

An officer explained that this was the first report produced under section 41 of the Education and Inspection Act. The Act saw Annual Reports as a valuable tool in ensuring an open and fair admission system.

A member of the Forum commented that the working group from voluntary aided schools to be established to overview how voluntary aided school admission arrangements would meet the requirements of the School Admissions Code of Practice should include governors.

In response to questions the officer explained that the Fair Access Protocol fell within the Admissions Code of Practice. The revised Protocol would mainly impact on the two Roman Catholic high schools in Harrow and consultation would take place with those schools. It was noted that the Protocol applied to all schools, including voluntary aided schools.

Members considered the oversubscription to Park High School from its linked primary schools and agreed the high school link arrangements should be considered as part of any review of the age of transfer to secondary school.

Some members of the Forum noted that the information requested on school uniform policies could be misleading, especially if information on a concessions policy was not included. Members also felt it would involve a great deal of school time to collect this information, to very little effect as Harrow schools adopted a common approach in these areas. The officer explained that information detailed in the uniform policy was a requirement of Section 41 of the Education and Inspection Act.

After discussion of the report it was;

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

That (1) the contents on the Annual Report on school admissions within Harrow in 2007 be noted;

(2) high school links be considered as part of the review of age of transfer to secondary school;

(3) a Working Group from Harrow's voluntary aided schools (including school governors) be established to ensure their voluntary aided school admission arrangements meet the requirements of the Schools Admissions Code of Practice and the continued effective allocation of pupils in the priority categories;

(4) the revised Fair Access protocol, as set out in Appendix 4 to the published officer report, be adopted by the Harrow Admissions Forum;

(5) to continue with the paragraph in this year's annual report on school uniforms, contributions to school funds and the cost of school trips in any future annual report.

[Reason for Recommendation: To ensure that admissions arrangements are correctly applied and fuller information can be included in the next annual report.]

RECOMMENDATION 2 - Co-ordination with Brent Council of Timetable for Admissions to Reception

The Forum received a report from the Director of Schools and Children's Development, which sought the approval of a co-ordinated timetable with Brent Council.

In response to a question the officer clarified that Hillingdon Council started admissions to primary schools earlier than Brent and Harrow and currently did not intend to change this, therefore the co-ordination would only be with Brent. She added that if the co-ordination was approved school places would be offered from mid-April next year.

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

That the timetable co-ordination for reception class with Brent Council be agreed.

[Reason for Recommendation: To simplify the admission process for parents.]

RECOMMENDATION 3 - Admission Arrangements 2009-10

The Forum considered a report of the Director of Schools and Children's Development, which set out the proposed admissions arrangement for 2009-10.

The officer drew attention to an amendment on page 31 of the published agenda, so that the recommendation read 'To consult on draft schemes of co-ordination'.

The same officer noted that, in relation to the admissions arrangements, Bentley Wood High School currently had a waiting list based on distance from home to school and therefore parents could be informed of their child's position on that list. The new Code of Practice requirement meant that in future the Admissions Service would no longer be able to inform parents of their daughter's position on the waiting list as a fresh random allocation would be undertaken whenever a vacancy occurred. Some members of the Forum expressed concern that random allocation of a school place to pupils on the waiting list might result in children from outside the Borough obtaining a school place before Harrow's pupils. The officer reminded the Forum that Harrow's admissions arrangements must treat all applicants equally regardless of where they live. A member noted that the Admissions Code of Practice advised that parents should not be informed of the child's position on the waiting list, as the position could fluctuate. The officer explained that the Code of Practice advised that admission authorities must

notify parents of where their child had been placed on a waiting list but must not give any indication of the likelihood of being offered a place as their position may change.

In response to a query the officer explained that following legal advice backdating the approval of the Protocol had been included in the report.

A Member queried the wording on exceptions for late applications and proposed a minor re-wording to the admissions policy. Another member of the Forum commented that dual links to high school were unfair for St John's School, as it was the only Church of England school in the Borough. He suggested the dual links be removed for equality reasons or to add a dual link to St John's. Another Member added that this should be addressed when the age of transfer was implemented.

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

That (1) consultation on draft admissions arrangements, including amending the process for allocating places at Bentley Wood from the waiting list, as set out in the published officer report, be agreed, subject to the following addition to Appendices C(i), C(ii) and C(iii) "*However, in very exceptional cases applications received after the closing date may be considered. The following are some examples which apply*";

(2) consultation on draft schemes of delegation (see appendices 2(i), 2(ii) and 2(iii) to the published officer report), including amending the Primary Co-ordinated Admissions Scheme to include co-ordinating the timetable for admissions to Reception in Harrow with the timetable in Brent, be agreed;

(3) the backdating of the adoption of Harrow's Fair Access Protocol from September 2007 be agreed, subject to consultation, and on the basis that discussion between officers and Harrow's voluntary aided schools would take place on how best to ensure their inclusion in the Protocol;

(4) consultation on maintaining Harrow's relevant area as the administrative area of the London Borough of Harrow be agreed.

[Reason for Recommendation: To meet the statutory requirement to consult before determining admission arrangements.]

PART II - MINUTES

37. **Attendance by Reserve Members:**

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

38. **Declarations of Interest:**

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

39. **Arrangement of Agenda:**

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

40. **Minutes:**

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

41. **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).

42. **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).

43. **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).

44. **Annual Report on School Admissions within Harrow in 2007:**

(See Recommendation 1).

45. **Co-ordination with Brent Council of Timetable for Admissions to Reception:**

(See Recommendation 2).

46. **Strategic Approach to School Organisation:**

The Forum received a report from the Director of Schools and Children's Development, which outlined reasons for considering school re-organisation, changing the age of transfer to high school, at this time. The officer stated that the report had been submitted to Cabinet for approval.

A member of the Forum noted that the change in age of transfer had already been implemented at St John Fisher Roman Catholic First and Middle School.

RESOLVED: That the report be noted.

47. **Admission Arrangements 2009 -10:**

(See Recommendation 3).

(Note: The meeting having commenced at 6.00 pm, closed at 7.18 pm)

(Signed) COUNCILLOR JANET COWAN
Chairman

CABINET
ADVISORY
PANELS

**EDUCATION ADMISSIONS AND AWARDS
ADVISORY PANEL****3 OCTOBER 2007**

Chairman: * Councillor Joyce Nickolay (in the Chair)

Councillors: * Julia Merison (2) * Asad Omar (1)

Advisers: Mr D A Jones
(Vacancy)

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

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

On 3 October 2007, there were 24 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>
H70	9	Nower Hill
H71	9	Bentley Wood
H72	9	Canons
H73	9	Park High
H74	9	Nower Hill
H75	9	Nower Hill
H76	9	Rooks Heath
H77	9	Harrow High
H78	11	Harrow High
H79	9	Harrow High
H80	9	Rooks Heath
H81	9	Hatch End
H82	10	Rooks Heath
H83	10	Bentley Wood
H84	10	Nower Hill
H85	10	Rooks Heath
H86	10	Whitmore
H87	10	Harrow High
H88	11	Harrow High
H89	11	Harrow High
H90	11	Nower Hill
H91	11	Rooks Heath
H92	11	Park High
H93	8	Nower Hill

[Note: An additional case was added to the agenda after case H92; this became case H93.]

PART II - MINUTES205. **Appointment of Chairman:**

RESOLVED: That, in the absence of the Chairman and Vice-Chairman, Councillor Joyce Nickolay be appointed Chairman of the Panel for the purposes of this meeting.

206. **Attendance by Reserve Members:**

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

Ordinary Member
Councillor Mrinal Choudhury
Councillor Janet Cowan

Reserve Member
Councillor Asad Omar
Councillor Julia Merison

207. **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.

208. **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 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.

209. **Minutes:**

RESOLVED: That the minutes of the meetings held on 29 August, 5 September and 19 September 2007 be deferred until printed in the Council Bound Minute Volume.

210. **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).

211. **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).

212. **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).

213. **Admissions to County Schools:**
(See Recommendation 1).

(Note: The meeting having commenced at 3.05 pm, closed at 3.45 pm)

(Signed) COUNCILLOR JOYCE NICKOLAY
(in the Chair)

**EDUCATION ADMISSIONS AND AWARDS
ADVISORY PANEL**
17 OCTOBER 2007

Chairman: * Councillor Mrs Janet Cowan

Councillors: * Mrinal Choudhury * Joyce Nickolay

Advisers: Mr D A Jones
(Vacancy)

* Denotes Member present

PART I - RECOMMENDATIONS
RECOMMENDATION 1 - Admissions to County Schools

On 17 October 2007, there were 12 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>
H94	9	Park High
H95	9	Canons
H96	11	Canons
H97	11	Harrow High
H98	9	Canons
H99	10	Canons
H100	9	Harrow High
H101	9	Nower Hill
H102	11	Nower Hill
H103	9	Park High
H104	9	Rooks Heath
H105	11	Hatch End

[Note: An additional case was added to the agenda after case H104; this became case H105.]

PART II - MINUTES
214. Attendance by Reserve Members:

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

215. 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.

216. 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 reasons 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.

217. **Minutes:**

RESOLVED: That the minutes of the meetings held on 29 August, 5 September, 19 September and 3 October 2007 be deferred until printed in the Council Bound Minute Volume.

218. **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).

219. **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).

220. **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).

221. **Start Times of Future Meetings:**

RESOLVED: That the start time of future meetings be changed to 2.30 pm.

222. **Admissions to County Schools:**

(See Recommendation 1).

(Note: The meeting having commenced at 3.00 pm, closed at 3.15 pm)

(Signed) COUNCILLOR JANET COWAN
Chairman

**EDUCATION ADMISSIONS AND AWARDS
ADVISORY PANEL****31 OCTOBER 2007**

Chairman: * Mrinal Choudhury (Vice-Chairman in the Chair)
 Councillors: * (Vacancy) * Joyce Nickolay
 Advisers: Mr D A Jones
 (Vacancy)

* Denotes Member present

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

On 31 October 2007, there were 11 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>
H106	9	Canons
H107	11	Canons
H108	10	Harrow High
H109	11	Nower Hill
H110	10	Nower Hill
H111	10	Rooks Heath
H112	10	Rooks Heath
H113	11	Canons
H114	10	Hatch End
H115	10	Whitmore
P1	6	Kenmore Park

[Note: An additional case was added to the agenda after case H115, this became case P1.]

PART II - MINUTES223. **Attendance by Reserve Members:**

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

224. **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.

225. **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 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. |
226. **Minutes:**
RESOLVED: That the minutes of the meetings held on 29 August, 5 September, 19 September, 3 October and 17 October be deferred until printed in the Council Bound Minute Volume.
227. **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).
228. **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).
229. **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).
230. **Admissions to County Schools:**
(See Recommendation 1).

(Note: The meeting having commenced at 2.30 pm, closed at 2.48 pm)

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

CORPORATE PARENTING PANEL

8 OCTOBER 2007

Chairman: * Councillor Janet Mote

Councillors: * Mrs Margaret Davine * Eric Silver
 * Mitzi Green * Mark Versallion (4)
 * Chris Mote (1)

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

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**11. **Attendance by Reserve Members:**

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

Ordinary Member

Councillor Mrs Myra Michael
 Councillor Paul Osborn

Reserve Member

Councillor Mark Versallion
 Councillor Chris Mote

12. **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.

13. **Arrangement of Agenda:**

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

Agenda itemSpecial Circumstances / Grounds for Urgency

11. Service Delivery Arrangements for Children Looked After

This report was not available at the time the agenda was printed and circulated owing to officers' preparation for the Fostering Inspection. Members were asked to consider the report, as a matter of urgency, as it had been requested at the Panel meeting on 18 April 2007.

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

14. **Minutes:**

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

15. **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).

16. **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).

17. **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).

18. **Government White Paper, "Care Matters - Time for Change":**
The Panel received a report of the Corporate Director, Children's Services, summarising the Government White Paper, "Care Matters – Time for Change". The officer reported on how Harrow was organising its response to the White Paper. She agreed to supply Members with copies of the response when it was ready. The officer also briefed Members on the work of the Children Looked After Life Chances Forum and answered questions from Members, who noted that Harrow had already adopted as standard practice many of the proposals set out in the White Paper.
- RESOLVED:** To note the scope of the White Paper and the changes and recommendations in terms of service delivery and the impact on Children Looked After.
19. **Activity and Performance Relating to Children Looked After and Children on the Child Protection Register:**
The Panel received an information report of the Corporate Director, Children's Services, setting out key data relating to Children Looked After and Children on the Child Protection Register, as well as information on key performance indicators up to the end of August 2007. The officer answered questions from Members who noted, among other things, an increased level of good health of Children Looked After.
- RESOLVED:** That the report be noted.
20. **Service Delivery Arrangements for Children Looked After:**
The Panel received a report of the Corporate Director, Children's Services, setting out information on the service delivery arrangements in relation to Children Looked After. The officer reported that a dedicated team was in place and functioning, with the stability of placements as a focus. Issues raised by Members included delays in access to mental health services by Children Looked After, particularly children moving between boroughs. The officer reported that this was being resolved with the appointment of a dedicated therapist for Children Looked After.
- RESOLVED:** To (1) endorse current service developments;
(2) support the future development of these services.
- (Note: The meeting having commenced at 6.10 pm, closed at 7.25 pm)

(Signed) COUNCILLOR JANET MOTE
Chairman

CONSULTATIVE
FORUMS

**TENANTS' AND LEASEHOLDERS'
CONSULTATIVE FORUM****29 OCTOBER 2007**

Chairman: * Councillor Mrs Camilla Bath

Councillors: * Don Billson * David Gawn (1)
* Bob Currie* Denotes Member present
(1) Denote category of Reserve Member**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES****Tenants' and Leaseholders' Representatives**

Representatives from the following Associations were in attendance:

Anthony's Close Tenants' and Residents' Association
 Berridge Estate Tenants' and Residents' Association
 Cottesmore Tenants' and Residents' Association
 Eastcote Lane Tenants' and Residents' Association
 Leaseholders Support Group
 Milton Road Tenants' and Residents' Association
 Pinner Hill Tenants' and Residents' Association
 Weald Tenants' and Residents' Association
 Weald Village Community Association
 Woodlands Community Association

In total 16 Tenants/Representatives attended.

88. 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 Phillip O'Dell	Councillor David Gawn

89. 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 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.

90. Arrangement of Agenda:**RESOLVED:** That all items be considered with the press and public present.**91. Minutes:****RESOLVED:** That the minutes of the special meeting held on 31 May 2007 and the ordinary meeting held on 24 July 2007 be taken as read and signed as correct records.**92. 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).**93. Petitions:****RESOLVED:** To note that no petitions were received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 14 (Part 4E of the Constitution).

94. **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).

95. **Quarter 1 Housing Revenue Account (HRA) Monitoring Report as at 30 June 2007:**

An officer presented a report of the Corporate Director (Finance) which set out monitoring of the Housing Revenue Account (HRA) as at 30 June 2007. The officer explained that:

- The key area to note was expenditure against the contingency as the final cost of transferring the DLO to Keir was not budgeted for.
- Interest costs were influenced by interest rates and the cost of borrowing.
- The cost of responsive repairs was the largest area of expenditure within the HRA.
- The Council paid a 'negative subsidy' and therefore money back to Central Government.

RESOLVED: That the report be noted.

96. **Progress Report on the Work of the Independent Tenant Advisor and Presentation of their Report:**

An officer presented an information report of the Divisional Director (Housing) which provided the Forum with information on the work carried out by First Call who were appointed by Housing Services as an Independent Tenant Advisor. The report included recommendations from First Call's report. The report also provided information on the 'Right to Manage' Consultation.

An Independent Tenants Advisor (ITA) explained that the report highlighted the need for improved communication between the Harrow Federation of Tenants' and Residents' Association (HFTRA) and Harrow Council, and that more induction and training was required for representatives of associations. The officer also explained that the report highlighted issues of diversity and accountability.

A resident expressed concern that officers of Tenants' and Residents' Associations (TRAs) were not contactable by other TRAs. The ITA explained that there were ways in which residents on estates could be contacted such as through the use of street stalls. A resident asked if information about the TRAs could be included within letting packages provided at the point at which tenancy agreements were signed.

In response to concerns raised by another resident, an officer stated that training for association representatives, particularly training on fundraising, would be provided if required.

In response to further questions by Members of the Forum, the Divisional Director (Housing) explained that:

- The Tenant Compact had been agreed with consultation and input from tenants and had been signed in October 2006 by HFTRA and the Council: First Call had confirmed that the document was fit for purpose.
- The situation regarding the reporting of repairs in 'Access Harrow' was being investigated.

A Member asked for an update regarding 'in house training' which was provided by an ITA.

An officer explained that with regard to the 'Right to Manage' consultation, it was intended to form a 'Resident Steering Group' to explore options in detail. The officer confirmed that all households would be contacted regarding the 'Right to Manage' and that the steering group would be open to all residents.

RESOLVED: That the report be noted.

97. **Progress on the Community Centre Review:**

An officer presented an information report of the Divisional Director (Housing) which gave the Forum an update on a review of the ten community centres that were part of the Housing Revenue Account asset base. The review commenced in June 2006.

The officer explained that, with regard to page 71 of the agenda, the valuation of Methuen Hall was £1.3 million and not £13,000,500 as published. The officer explained that a review was being undertaken as use of the community centres had not been considered for a significant amount of time and Housing Services wanted the community centres to be used to their maximum capacity. The officer stated that it was important that health and safety standards were met in the building. The officer also noted that three neighbourhood resource centres were to be built.

In response to a question by a Member, the officer explained that she could provide details of the condition of each centre in the final report.

One resident expressed concern over anti-social behaviour at one of the community centres and also asked whether electrical checks had taken place at Pinner Hill Road Hall. An officer agreed to investigate this issue. The Chairman asked the officer to ensure that all community centres had the appropriate electrical checks undertaken annually and requested that an officer contact her before the next meeting of the Forum to confirm that it had been done.

A Member expressed concern regarding anti-social behaviour at Churchill Place Hall. In response to a question by a Member, the Divisional Director (Housing) stated that information regarding condition of halls was available for all community centres apart from Methuen Road Hall.

RESOLVED: That the report be noted.

98. **London Councils – Housing Green Paper:**

The Divisional Director (Housing) presented an information report on the Department of Communities and Local Government Housing Green Paper, 'Homes for the future: More affordable, more sustainable.' The report had been published on 23 July 2007. It was explained that Harrow Council would submit a response as part of the West London Local Authorities Group.

An appendix for the report, which had been inadvertently omitted from the agenda, was tabled and accepted by the Forum.

RESOLVED: That the report be noted.

99. **The Draft Mayor's Housing Strategy:**

The Divisional Director (Housing) presented an information report which gave the Forum an update regarding the Mayor of London's draft Housing Strategy which had been produced following the devolution of responsibility for the housing strategy and the broad direction of public housing investment in London from the Government to the Mayor of London. This was subject to the parliamentary approval of the GLA Bill and it was explained that the strategy was subject to consultation.

The Divisional Director explained that the document set out the Mayor of London's vision for London and his desire to increase new homes in London.

RESOLVED: That the report be noted.

100. **Suggestions for Agenda Items for Next Meeting:**

The Forum was asked for possible items for discussion at the next meeting. The items suggested were:

- Grounds maintenance;
- Proposed budget for 2007, 2008 and 2009;
- Wardens.

RESOLVED: That the above be noted.

101. **Date of Next Meeting:**

RESOLVED: To note that the next meeting of the Forum would be held on the 9 January 2008.

102. **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) 10:00 pm to continue until 10.30pm;

(2) 10.30pm to continue until 10.35pm.

(Note: The meeting having commenced at 7.30 pm, closed at 10.33 pm)

(Signed) COUNCILLOR CAMILLA BATH
Chairman

