
REPORT OF CABINET

MEETING HELD ON 9 SEPTEMBER 2003

Chair: * Councillor Foulds

Councillors: * D Ashton * C Mote
* Burchell * O'Dell
* Margaret Davine * N Shah
* Dighé * Stephenson
* Miss Lyne

* Denotes Member present

PART I - RECOMMENDATIONS TO COUNCIL**RECOMMENDATION I - Budget Consultation Process**

Cabinet considered a report of the Executive Director (Business Connections) on the budget consultation process.

Members noted that, in accordance with the Council's Constitution, the Cabinet was required to propose and the Council agree a timetable for consideration of the budget. This timetable detailed the intended process for consultation on the budget with local stakeholders and others.

Cabinet noted that the report set out the detailed proposed timetable for consultation and possible ways of improving the consultation process. It set out a proposed timetable for consultation on the 2004-5 revenue budget and the 2004/5 to 2006/7 Medium Term Budget Strategy, together with the proposals to improve the consultation process. The Executive Director (Business Connections) advised that the budget consultation process adopted in previous years met most of the requirements of the OPDM guidelines on budget consultation. There were, however, a number of key areas for improvement in the process this year. He proposed the adoption of a two stage consultation process and that further improvements be identified in the presentation of information to consultees as well as the development of options for consultation.

Cabinet, having approved the development of a two stage budget consultation process and approved the work to be undertaken to improve the consultation process

Resolved to RECOMMEND:

That the budget consultation timetable attached to Appendix I to these minutes be approved.

Reason for Recommendation: To recommend to Council a budget consultation timetable to prepare the 2004/5 budget to meet its statutory requirements to set a legal budget and to enable improvements in the budget consultation process to be made.

(See also Minute 323)

RECOMMENDATION II - Statement of Accounts 2002-2003

Cabinet considered a report of the Executive Director (Business Connections) on the Statement of Accounts 2002-2003.

Cabinet noted that the Accounts and Audit Regulations 1996 required the annual accounts to be approved before the statutory deadline of 30 September by resolution of a Committee of the relevant body. The Executive Director (Business Connections) reported that Cabinet were requested to approve and recommend to Council the final outturn and Statement of Accounts for 2002/3 as the next Council meeting was not until 23 October 2003. The Council's Constitution required that full Council approve the Statement of Accounts. Members were advised that the statutory deadline for the approval of the annual accounts would be changing in future financial years as a result of changes in the Accounts and Audit Regulations. It would be a requirement to seek approval for the accounts by 31 August for the 2003-2004 accounts, 31 July for 2004/2005 accounts and 30 June for the 2005-2006 accounts.

The Executive Director (Business Connections) reported that the Statement of Accounts for 2002-2003, which were attached at Appendix 1 to his report, were subject to Audit. The statement had been prepared in accordance with the "Code of Practice on Local Authority Accounting in Great Britain". This specified the principles and practices of accounting required to prepare a Statement of Accounts which was intended to "present fairly" the financial position and transactions of a local authority. The Regulations required that a further report would need to be submitted if there were any material amendments to the accounts arising from the Audit.

A Member raised a number of queries in relation to the position on the pension fund. The Portfolio Holder for Finance, Human Resources and Performance Management indicated that it was necessary to monitor the situation and incorporate this issue into the budget strategy. The Executive Director (Business Connections) confirmed that the Council did not have the resources in-house to undertake an actuarial report.

Cabinet, having agreed that the Executive Director (Business Connections) be authorised to submit the Statement of Accounts to the External Auditor for Annual Audit and approved additional earmarked reserves in 2003-2004 of £0.5M for change management costs as set out in the report

Resolved to RECOMMEND:

That the final outturn and the Statement of Accounts for 2002-2003 (subject to Audit), attached at Appendix 1 to the Executive Director (Business Connections) report, be approved.

Reason for Recommendation: The Accounts and Audit Regulations 1996 require approval to the Statements of Accounts by 30 September 2003.

(See also Minute 324)

APPENDIX 1

PROPOSED BUDGET CONSULTATION TIMETABLE 2004-05

| Key Milestones | Activities |
|--------------------------------|--|
| 9 th September 2003 | Cabinet approves approach to consultation on budget, Council Tax and MTRBS |
| 14 th October 2003 | Cabinet considers strategic priorities in Corporate Plan for 1 st stage consultation with key stakeholders via the Harrow Strategic Partnership |
| 23 rd October 2003 | Council approves budget and consultation timetable |
| October/November 2003 | Consultation on strategic priorities with stakeholders via Harrow Strategic Partnership |
| 16 th December 2003 | Cabinet receives details of the 1st stage consultation and approves draft budget and MTRBS for 2 nd stage consultation, including proposed improvements to consultation documents and options |
| Late December 2003 | Consultation via Harrow People issued |
| 27 th January 2004 | Overview & Scrutiny to consider initial budget proposals |
| 28 th January 2004 | Community Consultative Forum considers budget options |
| 29 th January 2004 | Stakeholder Meeting considers budget options |
| 3 rd February 2004 | Education Consultative Forum considers budget options |
| 4 th February 2004 | Employees' Consultative Forum considers budget options |
| 10 th February 2004 | Final date for receipt of public consultation responses |
| January/early February 2004 | NNDR Consultative Forum considers budget options |
| 17 th February 2004 | Cabinet receives responses from consultation and recommends 2004-05 budget, Council Tax and 2004-07 MTRBS to Council. |
| 26 th February 2004 | Council approves 2004-05 budget, Council Tax and 2004-07 MTRBS |

PART II - MINUTES

312.

Declarations of Interest:**RESOLVED:** To note that the following interests were declared:-

| <u>Agenda Item</u> | <u>Member</u> | <u>Nature of Interest</u> |
|---|-----------------|---|
| 10. Key decision - School Organisation Plan | Dighé | The Member indicated a personal interest in that his children attended Harrow schools. The Member would remain in the room whilst the matter was considered and voted upon. |
| | N Shah | The Member indicated a personal interest in that his children attended Harrow schools. The Member would remain in the room whilst the matter was considered and voted upon. |
| | Burchell | The Member indicated a personal interest in that his spouse was employed in a Local Authority Maintained School. The Member would remain in the room whilst the matter was considered and voted upon. |
| 11. Key decision - Adult and Community Learning – Report on the inspection of Adult and Community Learning in Harrow, Post Inspection Action Plan and three Year Development Plan | Foulds | The Member indicated a personal interest. He would vacate the Chair and not take part in the debate or vote on this item. He would, however, remain in the room. |
| 17. Resident Wardens' Employment Tribunal decision – Oral Update Report from the Chief Executive | Margaret Davine | The Member indicated a personal interest in that she was a member of Unison. The Member would remain in the room whilst the matter was considered and voted upon. |

313.

Minutes:

That the minutes of the meeting held on 15 July 2003, having been circulated, be taken as read and signed as a correct record subject to noting that Councillor Paddy Lyne had submitted her apologies for the meeting.

314.

Arrangement of Agenda:

The Chair indicated that he was prepared to consider the following urgent item on the grounds set out on the second supplemental agenda:-

12. Budget Consultation Process

The Chair advised Members that he was prepared to consider an oral report in relation to the Resident Wardens' Employment Tribunal decision as a matter of urgency, due to the recent decision in Part II of the agenda.

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

| <u>Item</u> | <u>Reason</u> |
|--|--|
| 17. Resident Wardens' Employment Tribunal – Oral report from the Chief Executive | The Oral report contained exempt information under paragraph 12 of Part I of schedule 12A to the Local Government Act 1972 (as amended) in that it contained information in connection with legal proceedings against the authority. |

315.

Petitions:

Cabinet received a petition containing 29 signatures from the residents of Kynaston Close, Harrow Weald in relation to the problems being experienced in ensuring a safe exit and entry in Kynaston Close. Members noted the terms of petition to the meeting which were as follows:-

"It has been brought to the attention of the Neighbourhood Watch Co-ordinator, Vicky Kay, that the residents in Kynaston Close are experiencing problems in ensuring a safe exit and entry in Kynaston Close. This is due to vehicles being parked on the corners on both sides of the road at the junction of Kynaston Close and Boxtree Road. It is a traffic offence to park on a bend or in a position which could cause danger to other drivers. By parking their vehicles where they do, these drivers are making exit and entry in Kynaston Close into a blind spot. Drivers emerging from Kynaston Close to turn either left or right, are forced to pull into the centre of Boxtree Road, which is already heavily congested with traffic during the day and at weekends. It is also a hazard for any pedestrian wanting to cross the road at that position. Residents have prepared this petition to ask the Council to introduce cape ghosting along the curve on both sides of the entry into Kynaston Close, and to extend this by one car space on both sides into Boxtree Road and Kynaston Close. There are already examples using cape ghosting locally, for example at Chestnut Drive, College Close, and in Kenton Lane on the left side where the side roads face the shopping parade. We do not want an accident or a death to occur before action is taken. We ask herewith for your consideration of this matter, and trust that you will approve its implementation at the earliest possible date. Also note a request of double yellow lines opposite exit of Kynaston Close."

Vicky Kay, a representative of the petitioners, advised Cabinet that yellow lines were now sought for the end of Kynaston Close so that there would not be a wall of cars facing drivers exiting the road. She submitted the full petition and supporting photographs to Cabinet.

Councillor Lyne advised Cabinet that ghost capes were now to be implemented and that the only outstanding issue was the addition of yellow lines.

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

316.

Public Questions:

RESOLVED: To note that no public questions had been received.

317.

Forward Plan 1 September 2003 - 31 December 2003:

RESOLVED: To note the contents of the Forward Plan for the period 1 September 2003 – 31 December 2003.

318.

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

RESOLVED: To note that no reports had been received.

319.

New Harrow Council Identity:

The Chief Executive reported that all Members of Cabinet had been well briefed and had received a presentation from the Communication and Publications Manager on the new logo. The Chief Executive drew Members' attention to two matters within the report, the results of the IdeA Peer Review and secondly, awareness ratings. Colour copies of the new logo and crest were circulated for Members' information.

A Member expressed concern that although the colour on the tabled copies of the logo and crest were supposed to be the same, the colours did appear to be different. The Communication and Publications Manager advised that this was due to different printers having been used. However, the designer could develop the image so that it was suitable for the Council's printers.

The Chief Executive confirmed that there had been no additional cost to the Council in developing the logo as officers, as part of their normal duties, had prepared it in-house. She added that the logo would be introduced over time, as stationery, vehicles, uniforms and other items needed replacing.

Members unanimously congratulated officers on the development of the new identity.

RESOLVED: That the new updated Harrow Council Identity attached at Appendix 2 to Head of Communications' report be approved.

Reason for Decision: Endorsement by elected Members was required prior to the drafting of an implementation programme as part of the roll out of the New Harrow Project.

320. **Rayners Lane Estate Committee - Council nominations:**

RESOLVED: (1) That two Ward Councillors, Currie and Ingram, be re-confirmed as the Council nominations to the Rayners Lane Estate Committee;

(2) that the Estate Committee be added to the schedule of appointments considered by Cabinet on an annual basis.

Reason for Decision: To re-confirm the nominations made in 2002 and to enable the nominations for the Estate Committee to be reviewed on an annual basis.

321. **Key Decision - School Organisation Plan 2003 - 08:**

The Executive Director (People First) reported that the School Organisation Plan had been prepared in accordance with new Regulations and that the report signposted the key issues.

In response to a question in relation to Specialist Schools, the Executive Director (People First) reported that the Council was looking to promote specialisms in all high schools but emphasised that this was not for the purposes of admitting children on the basis of aptitude. Its purpose was to develop centres of excellence in specialist teaching and learning for all schools to access. He confirmed that the current admissions criteria would continue. A Member expressed the view that whilst specialism in schools was a good concept, care was required when communicating this message across the Borough.

A Member expressed concern that the consultation on the draft Plan was carried out mainly during the summer holidays. The Executive Director (People First) reported that officers had worked to the timetable of the School Organisation Committee but agreed to take the comments into consideration for future practice.

RESOLVED: That the draft School Organisation Plan be approved for submission to the School Organisation Committee on 18 September 2003.

Reason for Decision: The Plan must be submitted to the School Organisation Committee on 18 September 2003 and be published by the end of September 2003 in line with the DfES Statutory Guidance.

322. **Key Decision - Adult and Community Learning - Report on the inspection of Adult and Community Learning in Harrow, Post Inspection Action Plan and Three Year Development Plan:**

Councillor Foulds vacated the Chair for this item. Councillor N Shah took the Chair whilst this matter was considered and voted upon.

The Portfolio Holder for Education and Lifelong Learning reported that as Appendix 2 to the officer report indicated Harrow had received the highest score to date for leadership and management in relation to other inspections of Local Authority Adult and Community Learning Provision.

The Portfolio Holder for Education and Lifelong Learning added that a letter had been sent to the Harrow Observer to correct information in a published letter that the cost of Adult Education had gone up by more than inflation and he emphasised that there were a range of concessions currently available.

In response to a question in relation to the additional funding of £100,300 sought from the Learning and Skills Council for actions in the improvement plan, the Executive Director (People First) reported that this matter was a decision for the Learning and Skills Council but the authority would seek to make a good case.

Members requested that their congratulations be passed on to the officers concerned for their work.

RESOLVED: (1) To note the findings of the inspection of Adult and Community Learning in Harrow;

(2) that the Post Inspection Action Plan and Three Year Development Plan be approved for

submission to London West Learning and Skills Council.

Reason for Decision: To comply with the requirement to submit a Post Inspection Action Plan that addressed the strengths and weaknesses identified through the Inspection. To highlight the role of the Adult and Community Learning Provision in widening participation, advancing social inclusion and supporting sustainable community regeneration in order to contribute to the Strategic Area Review to be carried out by London West Learning and Skills Council.

323. **Budget Consultation Process:**
(See also Recommendation I)

Cabinet, having recommended the budget consultation timetable, attached at Appendix I to the Executive Director (Business Connections) report, to Council

RESOLVED: (1) That the development of a two stage budget consultation process, as detailed in paragraph 5.7 of the Executive Director (Business Connections) report, be approved;

(2) that the work to be undertaken to improve the consultation process, as noted in paragraph 5.6 of the Executive Director (Business Connections) report, be approved with a further report to Cabinet on the proposed improvements in December 2003.

Reason for Decision: To recommend to Council a budget consultation timetable to prepare the 2004-05 budget to meet its statutory requirements to set a legal budget and to enable improvements in the budget consultation process to be made.

324. **Statement of Accounts 2002-2003:**
(See also Recommendation II)

RESOLVED: (1) That the final outturn and Statement of Accounts for 2002/3 (subject to Audit) be approved and recommended to Council for approval;

(2) that the Executive Director (Business Connections) be authorised to submit the Statement of Accounts to the External Auditor for annual audit;

(3) that the additional earmarked reserves in 2003-2004 of £0.5M for change management costs, as set out in paragraphs 6.3 of the Executive Director (Business Connections) report, be approved.

Reason for Decision: The Accounts and Audit Regulations 1996 required approval to the Statement of Accounts by 30 September 2003.

325. **Key Decision - Further Funding Bid and Implementation Plans for the collection of Organic Waste from 12,000 households:**

The Executive Director (Urban Living) confirmed that if the bid were unsuccessful it would not be possible to introduce the scheme for the collection of organic waste. However, bids were being invited on a fairly frequent basis.

The Executive Director (Urban Living) confirmed that a number of issues relating to recycling needed to be discussed with West Waste. The Portfolio Holder for Environment and Transport reiterated a Member's comments that the Borough needed to promote recycling and increase education on this matter. It was also necessary to build up participation levels.

RESOLVED: (1) That the Acting Director of Environmental Services be authorised to re-submit the balance of the original bid to the London Recycling Fund (to provide a scheme for separate collection of organic waste) to cover 12,000 households in the Borough (Round 2), provision for which had been made in the Medium Term Budget Strategy;

(2) that the Acting Director of Environmental Services be authorised to submit a further bid to the London Recycling Fund to expand the scheme (for the separate collection of organic waste) to a further 12,000 households in the Borough (round 3);

(3) that the introduction of any schemes, subject to a successful bid, be approved by the end of May 2004;

(4) that the increase in revenue growth of £100,000 from 2004/5 onwards to finance the 3rd round, be built into the Medium Term Budget Strategy.

Reason for Decision: The opportunity to obtain further funding allowed the Council to continue to make progress to meet its statutory recycling targets. The limited window for the submission of bids meant that an urgent decision was required.

326. **Recommendation from the Education Consultative Forum held on 26 June 2003: Change to Education Consultative Forum's Terms of Reference to allow Appointment of Vice-Chair from the Governors and Teachers Constituencies:**

Members considered a recommendation from the Education Consultative Forum in relation to their Terms of Reference to allow the appointment of the Vice-Chair from the Governors and Teachers Constituencies.

RESOLVED: That the Terms of Reference of the Education Consultative Forum be amended to allow the Forum to appoint a Vice-Chair from among the non-Councillor participants of the Forum.

Reason for Decision: The Forum wished the Vice-Chair to be appointed from the non-Council Members to more accurately reflect the composition of the Forum.

327. **Recommendation from the Unitary Development Plan Advisory Panel held on 10 July 2003: Development Brief for 201/209 Northolt Road, South Harrow:**

Members considered a recommendation from the Unitary Development Plan Advisory Panel in relation to the 201-209 Northolt Road Development Brief.

RESOLVED: That the draft Development Brief attached to the Chief Planning Officer's report, enclosed in the Cabinet Supporting Documents pack, be adopted as Supplementary Planning Guidance in order to guide the future development of 201-209 Northolt Road subject to the amendment of paragraph 4.1 of the Brief and further consideration of its wording as set out in the recommendation from the Panel.

Reason for Decision: To assist in the implementation of proposals for the development of proposal site 27 in the emerging revised Harrow Unitary Development Plan.

(Note: Councillors D Ashton and C Mote wished to be recorded as having voted against adoption of the development brief due to concerns regarding the building height and density which were indicated to be acceptable in paragraphs 4.2 and 4.3 of the brief).

328. **Resident Wardens' Employment Tribunal decision- Oral Update Report from the Chief Executive:**

Members received a confidential oral update report from the Chief Executive in relation to the recent Resident Wardens' Employment Tribunal decision.

The Borough Solicitor advised Members that officers would deal with the issues relating to this matter and would keep Members informed.

It was noted that, if appropriate, officers would lodge an appeal with the Employment Appeal Tribunal, in order to meet the time limit for doing so, Members nevertheless having the opportunity to review the position on a full report, and Members unanimously agreed this as a sensible approach.

RESOLVED: That the position be noted and that the action proposed, as indicated in the preamble above be agreed.

Reason for Decision: To enable officers to progress the matter.

(Note: The meeting, having commenced at 7.32 pm, closed at 8.34 pm).

(Signed) COUNCILLOR A T FOULDS
Chair