



**MINUTES**  
**of the**  
**ORDINARY MEETING**  
**of the**  
**COUNCIL**  
**of the**  
**LONDON BOROUGH OF HARROW**  
**held on**  
**THURSDAY 22 JANUARY 2004**

**Present:**       **The Worshipful the Mayor (Councillor Mano Dharmarajah)**  
                  **The Deputy Mayor (Councillor Lurline Champagnie)**

**Councillors:**

R. Arnold  
Nana Asante-Twumasi  
David Ashton  
Mrs Marilyn Ashton  
Mrs Camilla Bath  
Miss C A Bednell  
F. Billson  
Alan Blann  
H. Bluston  
J. Branch  
K. Burchell  
M. Choudhury  
Mrs Janet Cowan  
John Cowan  
Bob Currie  
Margaret Davine  
Sanjay Dighé  
A.T. Foulds  
Brian Gate  
Mitzi Green

Ann Groves  
T. Idaikkadar  
M. Ingram  
N. Ismail  
Mary John  
M. Kara  
Mrs E.M. Kinnear  
M. Kinsey  
A.C. Knowles  
Jean Lammiman  
D. Lavingia  
A. Lent  
Miss Paddy Lyne  
Myra Michael  
Jerry J. Miles  
Vina Mithani  
Chris Mote  
Mrs Janet Mote  
J.W. Nickolay  
Mrs Joyce Nickolay

Marie-Louise Nolan  
Phillip O'Dell  
A. Omar  
P. Osborn  
Anjana Patel  
A. Pinkus  
R. Ray  
R.D. Romain  
Anthony Seymour  
Navin Shah  
Mrs Rajeshri Shah  
E. Silver  
Bill Stephenson  
Keekira Thammaiah  
S. Thornton  
Keith Toms  
M. Versallion  
A.E. Whitehead  
G. Williams

**A GENERAL MATTERS****150. COUNCIL MINUTES:****RESOLVED:**

**THAT (1) THE MINUTES OF THE MEETING HELD ON 23 OCTOBER 2003, HAVING BEEN CIRCULATED AND SUBJECT TO THE CORRECTION REFERRED TO IN THE SUMMONS AND AN AMENDMENT TO RESOLUTION 127(2) THAT COUNCILLOR JEAN LAMMIMAN HAD PROFFERED HER APOLOGIES FOR THAT MEETING, THEY NOW BE TAKEN AS READ AND SIGNED AS A CORRECT RECORD;**

**(2) THE MINUTES OF THE SPECIAL MEETING HELD ON 22 JANUARY 2003 BE DEFERRED UNTIL PRINTED IN THE NEXT COUNCIL MINUTE VOLUME.**

**151. MEMBERS OF COUNCIL:**

The Mayor welcomed the attendance of Councillors Jean Lammiman and Romain at the Council Meeting following their recent absences due to ill health.

**152. DECLARATIONS OF INTEREST BY MEMBERS OF THE COUNCIL:**

It was noted that there were no declarations of interests on behalf of Members with regard to the business to be transacted at this Council Meeting.

**153. MAYOR'S ANNOUNCEMENTS:**

Further to the tabled information of the Mayoral engagements the Mayor expressed particular thanks to the Deputy Mayor for the several occasions on which she had stood in for him on engagements during his recent period of illness.

**RESOLVED:**

**THAT THE COUNCIL RECEIVE AND NOTE THE REPORT OF HIS WORSHIP THE MAYOR, AS TABLED, UPON HIS OFFICIAL DUTIES, TOGETHER WITH THOSE OCCASIONS ON WHICH HE WAS REPRESENTED BY THE DEPUTY MAYOR OR A PAST MAYOR, SINCE THE COUNCIL MEETING ON 23 OCTOBER 2003.**

**154. QUEEN'S NEW YEAR'S HONOURS LIST:**

The following Harrow residents received awards in the Queen's New Year's Honours List:

Dr Owain Arwel Hughes	– Officer of the British Empire
Mr Malcolm Lyons	– Officer of the British Empire
Mr David O'Grady	– Member of the British Empire
Mr Jayantilal Sojar Shah	– Member of the British Empire

**155. PROCEDURAL MOTION: SUSPENSION OF PROCEDURAL RULES:**

The Leader of the Council, Councillor Foulds moved a procedural motion under the provisions of Council Procedure Rule 26.1 (suspension) to suspend the time limit of 15 minutes under Council Procedure Rule 12.2 in order to enable all the public questions to be put and answered.

**RESOLVED:**

**THAT THE PROCEDURAL MOTION FOR THE TIME ALLOWED FOR PUBLIC QUESTIONS UNDER STANDING ORDER 12.2 TO BE SUSPENDED UNDER COUNCIL PROCEDURE RULE 26.1 (SUSPENSION) BE AGREED.**

**156. COUNCIL PROCEDURE RULE 15.2 (URGENT MOTION):**

Councillor Knowles moved and Councillor C. Mote seconded the receipt of an urgent motion under Council Procedure Rule 15.2. (Urgent Motions).

The Mayor advised that it was his ruling as Chairman of the meeting that the terms of the proposed urgent motion did not meet the requirements of urgency and accordingly

would not be admitted for consideration at the meeting.

He advised the relevant Members that they were entitled to seek that the subject matter be referred to the next Cabinet or Council meetings.

## **B PUBLIC REPRESENTATIONS**

### **157. PETITIONS:**

In accordance with Council Procedure Rule 11, the following petitions were presented by Members of Council on behalf of petitioners:

(1) Councillor Miles submitted a petition containing 627 signatures of local residents who opposed the proposed development of the gardens/backlands in Balmoral Road/Carylon Avenue, South Harrow and any other similar developments within the local area.

[The petition stood referred to the Development Control Committee]

(2) Councillor C. Mote presented a petition with 250 signatures of local residents strongly objecting to the proposed demolition of two houses at 66-68 Marsh Road, Pinner, for re-development as a block of 15 flats.

[The petition stood referred to the Development Control Committee]

[It was noted that there were no petitions submitted at this meeting by members of the public].

### **158. PUBLIC QUESTIONS:**

Further to Item 6 on the Summons, the following questions were submitted by members of the public, in accordance with Council Procedure Rule 12.3:

<u>QUESTION BY</u>	<u>QUESTION OF</u>	<u>TEXT OF QUESTION</u>
Mr J Zeid	Environment and Transport Portfolio Holder (Councillor O'Dell)	"Both St Georges and St Anns centres have now imposed Sunday Parking Charges and have come under criticism from the public as well as seeing their takings fall. Having had sight of "secret internal documents" and spoken to a "source", I am told that they were FORCED to impose charges as "They are forbidden from competing with the Council on charges" and yet it was a change led by the Council starting the whole spiral. Can the portfolio holder tell me and the rest of the public just when the Council started telling private businesses and important local employers and tax payers, what and when they should charge?"
*Mr. M. Fitzgerald (see note 1)	Finance, Human Resources and Performance Management Portfolio Holder (Councillor Dighe)	"You very kindly sent me the IT budget figures on the Harrow project. I note that the IT budgets are the following:  2002/3 of £0.00 2003/4 of £675,000 2004/5 of £1.765 million 2005/6 of £2.605 million 2006/7 of £2.605 million

		Are these figures just plucked out the thin air or are they actual calculated figures, and if so, what are these amounts for?"
Mr. P. Seedher	Partnership and Property Portfolio Holder (Councillor Navin Shah)	"Are you not concerned that feelings are running so high in the community that Harrow residents have signed one of the largest petitions ever raised in our country against this council's tax policy - or do you agree with Archie Foulds that there can be no upper limit to Council Tax?"
Mr. D. Page	Finance, Human Resources and Performance Management Portfolio Holder (Councillor Dighé)	"How much of the MBTS incremental spend on ICT Infrastructure of £600,000 in 2004-2005 and the further increase of £1,330,000 to £1,930,000 in 2005-2006 is to comply with the Local Authorities EURO Preparation Guidance issued by the Office of the Deputy Prime Minister in June 2003?"
Mr. B. Daver	Education and Lifelong Learning Portfolio Holder (Councillor Stephenson)	"Please provide the year on year budget (£) and % increases from 2000/2001 to the Schools Budget on a comparable basis including any additional monies allocated locally. What % of the increases went to wages and pension payments?"
Mr. J. Mitchell	Leader of the Council (Councillor Foulds)	"HCTC has gathered 23,000 signatures from residents, with their names and addresses, demanding that the 2004/5 increase be no more than inflation.  Harrow Council is in the process of a 'Council tax consultation 2004/5' via a four page A4 leaflet sent to every house, with piles of leaflets in libraries and at the Civic Centre.  This is an expensive anonymous consultation open to multiple returns from individuals and the numbers resulting can have no validity whatsoever.  At a recent Cabinet you said you would not be bound by the results of a consultation.  Please explain why you are subjecting cash limited Harrow to this expensive farce?"

Mr. S. Sheinwald	Leader of the Council (Councillor Foulds)	“There is no doubt our Harrow Council Tax Campaign is responsible for bringing Council Tax down from an initial 14% to 3.9%. But you are claiming much of this is due to you making substantial short term savings and by holding down suppliers costs. If this is true then why were these simple savings not made over the last six years, and why was millions of tax payers money wasted?”
Mr. D. Stanley	Leader of the Council (Councillor Foulds)	“What is the value of property (£) and land (£) owned by the Council and what is the net income generated on these assets?”
Mr. K. Ferry	Member of the Executive - Leader of the Conservative Group (Councillor C.Mote)	“In this Council where political representation is finely balanced, could you outline the Conservative Group budget strategy for the next financial year?”
Mr. N. Smith	Leader of the Council (Councillor Foulds)	“Would the Leader of the Council please comment on the recent announcement by the Audit Commission, that Harrow Council has been measured as fair in the way it serves its people?”
Mr C. E. Blake	Environment and Transport Portfolio Holder (Councillor Phillip O’Dell)	“Could you please give information about progress on the implementation of the clean and green New Harrow Project work, and advise how the projects have performed so far?”

[Note 1: It was noted that Mr M Fitzgerald was not able to attend the meeting, but would be provided with a written response from the Finance, Human Resources and Performance Management Portfolio Holder (Councillor Dighé);

Note 2: Oral answers were provided to the remaining questions and, under the provisions of Council Procedure Rule 12.4, supplementary questions were asked, in relation to most of the issues, which were additionally answered. ]

## C RECOMMENDATIONS FROM CABINET

### 159. BUDGET 2004/5 AND MEDIUM TERM BUDGET STRATEGY FOR CONSULTATION - GENERAL FUND RESERVES:

Further to Item 7 on the Council Summons, the Council received Recommendation I of the Cabinet meeting of 16 December 2003 in this matter.

The Recommendation was adopted as printed.

#### RESOLVED:

**(1) THAT THE COUNCIL MAINTAIN A MINIMUM LEVEL OF UNALLOCATED GENERAL FUND RESERVE OF £4M AT THE END OF EACH FINANCIAL YEAR;**

**(2) THAT THE OPTIMAL LEVEL OF UNALLOCATED GENERAL FUND RESERVES WAS £7M; AND**

**(3) THAT THE COUNCIL AIMS TO ACHIEVE THE OPTIMAL LEVEL OF RESERVES OVER THE MEDIUM TO LONG TERM BY TAKING OPPORTUNITIES TO INCREASE RESERVES IN ITS IN YEAR FINANCIAL MANAGEMENT.**

**Reason for Recommendation:** To secure prudent discharge of the Council's financial arrangements.

**160. COUNCIL TAX DISCOUNTS:**

Further to Item 8 on the Council Summons, the Council received Recommendation III of the Cabinet meeting of 16 December 2003 in this matter.

The Recommendation was adopted as printed.

**RESOLVED:**

**THAT (1) THE LEVEL OF COUNCIL TAX DISCOUNT IN RESPECT OF SECOND HOMES BE VARIED FROM 50% TO 10%;**

**(2) THE LEVEL OF COUNCIL TAX DISCOUNT IN RESPECT OF LONG-TERM EMPTY PROPERTIES BE REDUCED FROM 50% TO ZERO.**

**Reason for Recommendation:** These decisions are required in order to set the Council Taxbase for 2004-2005. The Taxbase was to be based upon information held at 20 December 2003.

**161. CALCULATION OF COUNCIL TAX TAXBASE FOR 2004/5:**

At Item 9 of the Summons the Council received Recommendation I from the Cabinet meeting of 13 January 2004 in this matter.

(i) Councillor Miss Lyne moved and Councillor Thornton seconded an amendment to paragraph 4 of the Recommendation in the following terms:-

"To delete the words "who pay by direct debit"".

Upon a vote the amendment was not carried.

(ii) The Recommendation was agreed by the general assent of Council as printed.

**RESOLVED:**

**(1) THAT BAND D EQUIVALENT NUMBER OF TAXABLE PROPERTIES IS CALCULATED AS SHOWN IN APPENDIX 1 (TO THE CABINET REPORT) IN ACCORDANCE WITH THE GOVERNMENT REGULATIONS;**

**(2) THAT THE PROVISION FOR UNCOLLECTABLE AMOUNTS OF COUNCIL TAX FOR 2004-2005 BE AGREED AT 1.5%, PRODUCING AN EXPECTED COLLECTION RATE OF 98.5%;**

**(3) THAT SUBJECT TO (1) AND (2) ABOVE, A COUNCIL TAX TAXBASE FOR 2004-2005 AT 83,652 BAND D EQUIVALENT PROPERTIES (BEING 84,926 X 98.5%) BE APPROVED, ALLOWING FOR PAYMENT IN LIEU OF MINISTRY OF DEFENCE PROPERTIES;**

**(4) THAT, IN ADDITION TO THE CURRENT STATUTORY 10 INSTALMENT PAYMENT SCHEME, FROM 2004-05 THE COUNCIL OFFER TAXPAYERS WHO PAY BY DIRECT DEBIT THE OPTION OF PAYING BY 12 MONTHLY INSTALMENTS.**

**Reason for Recommendation:** To fulfil the Council's statutory obligation to set the Council Tax Base for 2004-2005. A decision on the number of instalments to be allowed is requested to enable Council Tax billing preparations to commence.

**162. HOUSING REVENUE ACCOUNT 2004/5:**

Further to Item 10 on the Council Summons, the Council received Recommendation II of the Cabinet meeting of 13 January 2004 in this matter.

The Recommendation was adopted as printed.

**RESOLVED:**

(1) THE COMMENTS MADE BY THE TENANTS' AND LEASEHOLDERS' CONSULTATIVE FORUM HELD ON 8 JANUARY 2004 BE NOTED;

(2) A RENT INCREASE FOR COUNCIL DWELLINGS OF AN AVERAGE OF 2.7%, CALCULATED IN ACCORDANCE WITH THE GOVERNMENT'S RENT RESTRUCTURING GUIDANCE, TO TAKE EFFECT FROM 5 APRIL 2004 BE AGREED;

(3) THAT A REVISED CHARGE FOR GARAGES, CARPORTS AND CAR SPACES TO TAKE EFFECT FROM 5 APRIL 2004, IN LINE WITH (2) ABOVE, AND AS SET OUT IN APPENDIX D TO THE ADDENDUM REPORT (TO THE CABINET MEETING) OF THE EXECUTIVE DIRECTOR (URBAN LIVING) BE AGREED ;

(4) THAT REVISED CHARGES FOR COMMUNITY HALLS/ROOM LETTINGS AND THE NIGHTLY CHARGE FOR GUEST ROOMS TO TAKE EFFECT FROM 5 APRIL 2004, IN LINE WITH (2) ABOVE, AND AS SET OUT IN APPENDIX C TO THE ADDENDUM REPORT (TO THE CABINET MEETING) OF THE EXECUTIVE DIRECTOR (URBAN LIVING) BE AGREED;

(5) THAT THE FACILITIES CHARGES AS SET OUT IN APPENDIX E TO THE ADDENDUM REPORT (TO THE CABINET MEETING) OF THE EXECUTIVE DIRECTOR (URBAN LIVING) TO TAKE EFFECT FROM 5 APRIL 2004, BE AGREED;

(6) THAT THE PROPOSED RENTS FOR SHORT-LIFE PROPERTIES MANAGED BY HOUSING ASSOCIATIONS IN LINE WITH (2) ABOVE AS SET OUT IN APPENDIX B TO THE ADDENDUM REPORT (TO THE CABINET MEETING) OF THE EXECUTIVE DIRECTOR (URBAN LIVING) BE AGREED.

**Reason for Decision:** To enable the Council to recover an appropriate level of income from rents and associated charges during 2004/05.

**163. EARLY YEARS DEVELOPMENT AND CHILDCARE STRATEGY 2004 - 2006:**

Further to Item 11 on the Council Summons, the Council received Recommendation III of the Cabinet meeting of the 13 January 2004 in this matter. The Leader of the Council deferred to the Education and Lifelong Learning Portfolio Holder, Councillor Stephenson, who formally moved Recommendation III.

Following a short debate the Recommendation was adopted as printed.

**RESOLVED:**

**THAT THE EARLY YEARS DEVELOPMENT AND CHILDCARE STRATEGY 2004-2006 BE APPROVED.**

[NOTE: THE LIFELONG LEARNING SCRUTINY SUB COMMITTEE AT ITS MEETING ON 20 JANUARY 2004 CONSIDERED THE EARLY YEARS DEVELOPMENT AND CHILDCARE STRATEGY 2004 - 2006 AND RECOMMENDATION 1 TO COUNCIL ARISING FROM THAT MEETING, WAS RECEIVED AND NOTED IN CONJUNCTION WITH THE CABINET RECOMMENDATION III.]

**Reason for decision:** To comply with Harrow's statutory duty in accordance with Part V Section 118-123 of the School Standards and Framework Act 1998 as amended by Part 9 Section 149-150 of the Education Act 2002.

**D OTHER REPORTS FROM THE EXECUTIVE**

**164. SPECIAL URGENCY DECISIONS TAKEN BY THE EXECUTIVE:**

In accordance with the Council's Overview and Scrutiny Procedure Rules and Access to Information Rules set out in Part 4 of the Constitution, the Borough Solicitor presented a report at item 12 of the Summons regarding decisions taken as a matter of urgency on behalf of the Executive (that is, as individually authorised by the Portfolio Holders).

**RESOLVED:**

**THAT THE DECISIONS TAKEN UNDER THE SPECIAL URGENCY PROCEDURE ON BEHALF OF THE EXECUTIVE AS NOW REPORTED BE NOTED.**

**E REPORTS ON BEHALF OF THE OVERVIEW AND SCRUTINY COMMITTEE****165. OVERVIEW AND SCRUTINY SUB COMMITTEES: ACCOUNTS APPROVAL SUB COMMITTEE:**

Further to Item 13 on the Council Summons and a report on behalf of the Chair of the Overview and Scrutiny Committee,

**RESOLVED:**

**IN ACCORDANCE WITH OVERVIEW AND SCRUTINY RULE 4.3, THE ESTABLISHMENT OF AN ACCOUNTS APPROVAL SUB COMMITTEE, TO CONSIDER AND DEAL WITH THE EXTERNAL AUDITORS REPORT ON THE STATEMENT OF THE COUNCIL'S ACCOUNTS AND IN ORDER TO MEET STATUTORY REQUIREMENTS, BE CONFIRMED.**

**F QUESTIONS UNDER COUNCIL PROCEDURE RULE 13****166. QUESTIONS WITH NOTICE (COUNCIL PROCEDURE RULE 13):**

Further to Item 14 on the Summons, the following Questions had been submitted by Members of the Council, notice of which had been duly given under the provisions of Council Procedure Rule 13.2.

<b>QUESTION BY</b>	<b>QUESTION OF</b>	<b>TEXT OF QUESTION</b>
Cllr Williams	Environment and Transport Portfolio Holder (Cllr. O'Dell)	<p>"Members will be aware that Harrow gained unfavourable National Press Coverage regarding the conduct of its Parking Attendants' activities outside St. Luke's Church Pinner on New Year's Day, a Bank Holiday.</p> <p>Having been informed, on several occasions, that the levying of Parking fees has nothing to do with Revenue raising, but all to do with traffic management, would the Portfolio Holder be kind enough to inform the 6 Ministers representing the Pinner Association of Churches, through me tonight, what traffic management problems occurred in Pinner on New Year's Day?"</p>
Cllr Seymour	Leader of the Council (Cllr Foulds)	"What is the current level of Balances?"
Cllr Silver	Environment and Transport Portfolio Holder (Cllr O'Dell)	"It is right that we do our best in Harrow to protect its green nature. However, sometimes this results in seriously disabled residents being denied much-needed parking facilities where mature trees would have to be removed and/or replaced. Why therefore was permission given for several mature trees to be removed from the Broadwalk in Pinner Road, North Harrow, (a shopping area otherwise quite devoid of greenery) to make room for a cycle lane that few, if any, able-bodied people use?"



Cllr Marilyn Ashton	Planning, Development, Housing and Best Value Portfolio Holder (Cllr Burchell)	“Is it not the case that, at the UDP Panel meeting on January 5 2004, Cllr Burchell used his casting vote to push through significant changes to our Harrow Unitary Development Plan increasing the minimum standard of density from 125 to 150 habitable rooms per hectare, at the same time as deleting the existing maximum density of 200, in addition to rendering impotent the policy H10 on Conversions by removing wording which will now make it impossible to resist whole roads becoming converted, to the detriment of this Borough?”
Cllr Vina Mithani	Leader of the Council (Cllr Foulds)	“How does this Council expect pensioners, who are on a fixed income, to pay their already exorbitantly high council tax?”
Cllr John Nickolay	Partnership and Property Portfolio Holder (Cllr N Shah)	“At the June 2003 meeting of the Traffic and Road Safety Panel he announced that action was imminent to put into effect the Civic Centre Green Travel Plan that had been moth-balled for four years. Now that we are a further seven months on, can he please say whether or when action will be taken?”

[Notes: (1) Oral answers were provided to the questions and, under the provisions of Council Procedure Rule 12.4, some supplementary questions were asked, in relation to most of the issues, which were additionally answered;

(2) A notified Question in the name of Councillor Seymour was withdrawn at the request of the Member and with the assent of the Council;

(3) The Mayor advised in relation to the final question in the name of Councillor John Nickolay that, although it was substantively the same as one asked at the October Council, he was exercising his discretion to allow the question because the Member had not then received a reply].

## G MISCELLANEOUS

### 167. APPOINTMENTS TO OUTSIDE BODIES: LONDON (NORTH WEST) VALUATION TRIBUNAL:

Further to the report of the Borough Solicitor in this matter at Item 15 of the Council Summons;

#### RESOLVED:

**THAT THE FOLLOWING REPRESENTATIVES, CURRENTLY APPOINTED TO THE LONDON (NORTH WEST) VALUATION TRIBUNAL WITH A TERM OF OFFICE EXPIRING ON 31 MARCH 2004, NOW BE APPOINTED TO A TERM OF OFFICE EXPIRING ON 31 DECEMBER 2009:-**

**MR M A CARMODY  
MR R CONWAY  
MR S GILES-MEDHURST  
COUNCILLOR MISS P LYNE  
MR A MEDIRATTA**

**(CLOSE OF MEETING:** The Ordinary Meeting having commenced at 7.36 pm (upon the closing of the preceding Special Meeting) and all business having been completed, the Mayor declared the Ordinary Meeting closed at 9.00 pm).