

2004 - 2005

**HARROW COUNCIL
COUNCIL SUMMONS**

**MEETING
Thursday 21 October 2004**



COUNCIL SUMMONS

Law and Administration Division

Civic Centre

Harrow

13 October, 2004

Dear Member

I hereby request and summon you to attend a **MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF HARROW** to be held in the **COUNCIL CHAMBER** at the **CIVIC CENTRE, STATION ROAD, HARROW, on Thursday, 21st day of October 2004 at 7.30 pm** to take into consideration the following numbered matters and to pass such resolutions and to make such orders thereon as may then be determined.

PRAYERS

The Mayor's Chaplain, the Reverend Clive Pearce, will open the meeting with Prayers.

I. PROCEDURAL

1. COUNCIL MINUTES: (Pages 1 - 40)

That the minutes of the:-

- (i) Ordinary Meeting held on 29 April 2004:
- (ii) Annual Meeting held on 13 May 2004: and
- (iii) Extraordinary Meeting held on 24 June 2004;

all having been circulated, to be taken as read and signed as correct records.

(Notes: (i) the above Minutes have been circulated previously within the relevant Volumes of Cabinet and Council Minutes ;

(ii) those Minutes are also now enclosed with this Summons for ease of reference).

2. DECLARATIONS OF INTEREST:

To receive declarations of interest (if any) from Members of Council arising from business to be transacted at this meeting.

3. APPOINTMENT OF THE LEADER OF THE COUNCIL:

(Article 7 of the Constitution – “The Executive”).

Further to the appointment made at the Annual Council Meeting on 13 May 2004 under the provisions of Paragraph 7.03 of Article 7, Councillor Foulds has given formal written notice on 13 October to the Chief Executive of his resignation from the office of Leader of the Council.

The Group has given further notice that it nominates Councillor Navin Shah for appointment as Leader of the Council for the remainder of the Municipal Year 2004/05 for the Council’s agreement.

FOR DECISION

4. EXECUTIVE FUNCTIONS 2004/05:

Subject to the item on this Summons regarding the appointment of a Leader of the Council, Councillor Navin Shah as the nominee of the Labour Group to be appointed to the office has given notice of the intention under the provisions of Executive Procedure Rule 3.2 to present a revised form of the Executive (membership of the Cabinet and allocation of Portfolios) for the Council’s approval. (The detailed proposal is to follow).

FOR CONSIDERATION

5. MAYOR'S ANNOUNCEMENTS:

To receive any announcements from the Mayor.

(Note: Information as to recent Mayoral engagements will be tabled).

6. PROCEDURAL MOTIONS:

To receive and consider any procedural motions by Members of the Council, under relevant Council Procedure Rules, in relation to the conduct of the business for this Council Meeting.

(Note: Notice of such procedural motions, received after the issuing of this Summons, will be tabled).

II. PUBLIC REPRESENTATIONS (Council Procedure Rules 11 and 12)

7. PETITIONS:

To receive petitions (if any) submitted in accordance with Council Procedure Rule 11 (Part 4A of the Constitution) and presented:-

- (i) by a representative of the petitioners; or
- (ii) by a Councillor, on behalf of petitioners; or
- (iii) by the Borough Solicitor, on behalf of petitioners.

8. PUBLIC QUESTIONS:

A period of up to 15 minutes is allowed under Council Procedure Rule 12 for members of the public to ask questions of members of the Executive, Portfolio Holders and Chairs of Committees, of which notice has been received no later than 5.00 pm two clear working days prior to the day of this Meeting.

(Note: Confirmation of any such questions will be tabled).

III. REPORTS FROM THE EXECUTIVE

**9. FINANCIAL REGULATIONS AND CONTRACT PROCEDURE RULES:
(Pages 41 - 70)**

CABINET (20 MAY 2004) - RECOMMENDATION I

The Cabinet Recommendation in this matter is enclosed, together with the detailed revised Regulations and Rules, inclusive of the amendments subsequently agreed by the Portfolio Holder for Finance, Human Resources and Performance Management for incorporation into the finalised draft (as authorised by the terms of the Recommendation).

**10. SERVICE AND FINANCIAL PLANNING PROCESS 2005-06 TO 2007-08:
(Pages 71 - 74)**

CABINET (29 JULY 2004) - RECOMMENDATION I

11. NINTH LONDON LOCAL AUTHORITIES BILL: (Pages 75 - 80)

(1) CABINET (14 October 2004) - RECOMMENDATION I

To consider a Recommendation in this matter (to follow).

(2) STATUTORY RESOLUTION

The Council is required to consider the attached form of Statutory Resolution and in order to agree Harrow's approval to promote a Ninth London Local Authority Bill to pass a Resolution in favour by a majority of the whole number of Members of Council.

FOR DECISION

12. LONDON LOCAL AUTHORITIES AND TRANSPORT FOR LONDON ACT 2003 - ADDITIONAL ENFORCEMENT POWERS:

CABINET (14 OCTOBER 2004) - RECOMMENDATION II

To consider a Recommendation in this matter (to follow).

13. PINNER WAR MEMORIAL FUND:

CABINET (14 OCTOBER 2004) - RECOMMENDATION III

To consider a Recommendation in this matter (to follow).

IV. OVERVIEW AND SCRUTINY

14. ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE 2003/04:

OVERVIEW AND SCRUTINY COMMITTEE (19 OCTOBER 2004) - RECOMMENDATION I.

[Note: This anticipated Recommendation will necessarily be tabled due to the proximity of the Committee meeting to this Council meeting].

15. ESTABLISHMENT OF AN AUDIT COMMITTEE:

OVERVIEW AND SCRUTINY COMMITTEE (19 OCTOBER 2004) - RECOMMENDATION II.

[Note: This anticipated Recommendation will necessarily be tabled due to the proximity of the Committee meeting to this Council meeting].

V. REPORTS FROM COUNCIL COMMITTEES

16. TRAINING FOR MEMBERS OF THE DEVELOPMENT CONTROL COMMITTEE: (Pages 81 - 86)

(1) DEVELOPMENT CONTROL COMMITTEE (7 SEPTEMBER 2004) - RECOMMENDATION I.

(2) Arising from the above Recommendation, to consider the adoption of an appropriate Committee Procedure Rule implementing the requirement for Members serving on the Committee to be trained. The draft of such a Procedural Rule is attached. [It is proposed that this Rule might be inserted into the Committee Procedure Rules as new Rule 7, with a consequent renumbering thereafter].

FOR CONSIDERATION

VI. ISSUES RAISED BY COUNCIL MEMBERS

17. QUESTIONS WITH NOTICE:

A period of up to 15 minutes is allowed (Council Procedure Rule 13.2) for the asking of written questions by Members of Council of a member of the Executive or the Chair of a Committee:-

- (i) of which notice has been received at least two clear working days prior to the day of this Meeting;
- (ii) or which relate to urgent matters, the consent of the Executive member or Committee Chair to whom the question is to be put has been obtained and the content has been advised to the Chief Executive by 12.00 noon on the day of the Council Meeting.

18. MOTIONS:

To receive the following Motions submitted by Members of Council in accordance with the provisions of Council Procedure Rule 15.1 :-

(1) Post Office Acts

Motion to be moved by Councillor C.Mote and seconded by Councillor D.Ashton:-

“We, the Undersigned, call on Harrow Council to condemn the actions of our MPs in voting for the Post Office Acts. We believe the nine closures that are now threatened in Harrow are a direct result of those policies and call on both our Parliamentary representatives to explain their actions or resign”.

FOR CONSIDERATION

(2) Locally Listed Buildings

Motion to be moved by Councillor Knowles and seconded by Councillor Jean Lammiman:-

“Given that Council Resolved Unanimously to work to strengthen the law protecting Locally Listed Buildings on 29 April, we condemn London Mayor Ken Livingstone’s refusal to cooperate, and his distaste of local listing. We believe that other vulnerable buildings across Harrow are urgently in need of protection from development, and call on Harrow Council to work towards persuading the London Mayor to support the protection of Locally Listed Buildings”.

FOR CONSIDERATION

(3) Small Businesses

Motion to be moved by Councillor Vina Mithani and seconded by Councillor Silver:-

“We, the Undersigned, call on Harrow Council to work to encourage the development of “Next Step” provision for Small Businesses in the Borough”.

FOR CONSIDERATION

(4) London Bid for the Olympic Games 2012

Motion to be moved by Councillor Navin Shah and seconded by Councillor Knowles:-

“The Council recognises the enormous benefits to London in hosting the world’s biggest sporting event. The effects of hosting such a special event would be felt countrywide with direct improvements in our sporting, recreational, social, economic and transport infrastructure.

The Council notes that the games would bring direct financial benefits while more importantly enhancing the public’s understanding of disability issues and national cultures while providing role models for the borough’s young people and others throughout Britain. The Council also believes that the Olympic Games and Paralympics are a demonstration of international community cohesion, and that this borough has an identical ambition that the multi-cultural communities of this borough are able to live, work and compete in a spirit of mutual respect. Together with the West London Alliance, this Council therefore gives its wholehearted support to the campaign to bring the Olympic Games and Paralympics to London in 2012.”

FOR CONSIDERATION

VII. MISCELLANEOUS BUSINESS

19. DETERMINATION AS TO THE SIZE OF COMMITTEES OF THE COUNCIL AND THE PROPORTIONAL ALLOCATION OF COMMITTEE PLACES:

(Local Government (Committees and Political Groups) Regulations 1990).

Arising from the receipt of a Notice from the Labour Group on 13 October under the provisions of Regulation 8(5) there is a requirement to effect a new determination on proportionality as soon as practicable.

Council is therefore requested to receive and confirm the Determination as to the proportional allocation of Committee places for the remainder of the Municipal Year 2004/05 under the 1990 Regulations.

(A draft Determination is being advised to the political Groups on the Council).

FOR CONFIRMATION

(Note: The determination as agreed would be utilised for the formal appointment of Committee Memberships – see item below).

20. APPOINTMENT OF MEMBERS TO COUNCIL COMMITTEES:

To receive the nominations of the Groups to Committee places in accordance with their proportional entitlements under the approved Determination and formally to re-establish Committees of the Council and their memberships for the remainder of the Municipal year 2004/05.

(The proposed Committee memberships will be tabled).

FOR CONFIRMATION

21. APPOINTMENT OF CHAIRS TO COUNCIL COMMITTEES:

To receive a proposal from the Leader of the Council as to the appointment of Chairs to Committees of the Council for the remainder of the Municipal year 2004/05 (which will be tabled).

FOR CONFIRMATION

22. OUTSIDE BODY APPOINTMENTS 2004/05:

(1) To note that the newly appointed Leader of the Council (item 2 above refers) will replace Councillor Foulds as the Council's representative on the following outside bodies for the remainder of the Municipal Year 2004/05:-

ALG Leaders' Committee
Local Government Association – General Assembly Meetings
London Housing Unit Committee
West London Alliance

FOR INFORMATION

(2) The following changes in representation is proposed for approval.

Outside Body	Original Appointee	Replacement Appointee
The London Arts Board Local Authority Forum	Manager of Arts and Leisure Services: Carole Stewart	Cultural Strategy Manager: Mike Padmore
North West London Strategic Health authority – Continuing Care Criteria Review Panel	Councillor Silver [Note: The eligibility of elected Members to serve on this Panel was removed under a Continuing Care Directive].	Interim Director of Community Care – Jeff Hobden

FOR CONFIRMATION

23. THE EXERCISE OF DISCRETION UNDER REGULATION 52 OF THE LOCAL GOVERNMENT PENSION SCHEME REGULATIONS 1997 (AS AMENDED): (Pages 87 - 94)

Report of the Chief Executive.

24. OPERATION AND PROVISIONS FOR CALL IN AND URGENCY: (Pages 95 - 100)

Report of the Chief Executive.

25. DECISIONS TAKEN UNDER THE URGENCY PROCEDURE AND USE OF SPECIAL URGENCY PROCEDURE: (Pages 101 - 110)

In accordance with the relevant Overview and Scrutiny Procedure Rules and Rule 17.3 of the Access to Information Rules, as set out in Part 4 of the Constitution, the Chief Executive is required to report respectively those urgent decisions and special urgency decisions taken on behalf of the Executive (that is as individually authorised by the Portfolio Holders), since the previous Council Meeting.

These requirements are met in the attached paper from the Chief executive.

FOR CONSIDERATION

26. URGENT DECISIONS TAKEN ON MATTERS RESERVED TO THE COUNCIL:

In accordance with the delegations to Chief Officers the Leaders of the three political groups on the Council were consulted on and agreed the following urgent decisions on behalf of the Council, being matters reserved to the Council.

Re-establishment of the Education Appeals Panel for the 2004/05 Academic Year

To appoint Lay or Other Members to Harrow's Education Appeals Panel for the 2004/05 Academic Year, to serve on both Harrow's Education Appeals Panels and Appeals Panels set up by Voluntary-Aided schools.

Delegations to Officers on Legal and Constitutional Matters

To delegate to the Chief Executive the matters in the Constitution currently delegated to the Borough Solicitor.

FOR CONFIRMATION

27. DIRECTOR OF CORPORATE GOVERNANCE : ALLOCATION OF STATUTORY MONITORING OFFICER ROLE:

Arising from the revised organisational and management structure adopted in respect of the Law and Administration Division, Chief Executive's Directorate, which included the deletion of the post of "Borough Solicitor", there is a requirement to approve an appropriate amendment to the Council's Constitution so as to allocate the statutory Monitoring Officer role (as specified in the Constitution) to the new post of Director of Corporate Governance.

FOR CONFIRMATION

Yours sincerely



Chief Executive

To: The Worship the Mayor and all Members of the Council of the London Borough of Harrow