



**MINUTES
of the
ORDINARY MEETING
of the
COUNCIL
of the
LONDON BOROUGH OF HARROW
held on
THURSDAY 21 APRIL 2005**

Present: **The Worshipful the Mayor (Councillor Lurline Champagne)
The Deputy Mayor (Councillor Asad Omar)**

Councillors:

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

C. Harrison
C. Harriss
T. Idaikkadar
Mark 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
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.G.V. Williams

PRAYERS

In the absence of the Mayor's Chaplain, Reverend Clive Pearce,
the meeting opened with Prayers offered by Councillor G.G.V. Williams

A **PROCEDURAL MATTERS****301.** **COUNCIL MINUTES:****RESOLVED:**

THAT THE MINUTES OF THE COUNCIL TAX MEETING HELD ON 24 FEBRUARY 2005, HAVING BEEN CIRCULATED, BE TAKEN AS READ AND SIGNED AS A CORRECT RECORD.

302. **DECLARATIONS OF INTEREST:**

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

[Note: Under this item Councillor Mrs Bath notified Council of an additional interest she held as an appointed Board Member of the Harrow Churches Housing Association].

303. **MAYOR'S ANNOUNCEMENTS:****RESOLVED:**

THAT THE COUNCIL RECEIVE AND NOTE THE REPORT OF THE WORSHIPFUL THE MAYOR, AS TABLED, UPON HER OFFICIAL DUTIES, TOGETHER WITH THOSE OCCASIONS ON WHICH SHE WAS REPRESENTED BY THE DEPUTY MAYOR AND A PAST MAYOR, SINCE THE COUNCIL MEETING ON 24 FEBRUARY 2005.

B **PUBLIC REPRESENTATIONS****304.** **PETITIONS:**

The following petitions were submitted by Members of Council:

- (1) Submitted by Councillor Harriss, containing some 54 signatures of residents of Rayners Lane and neighbouring streets situated close to the Rayners Lane Estate Development, seeking answers from the Council to a variety of questions relating to (i) the lack of notification and consultation after planning applications were submitted to alter the originally approved scheme, (ii) the damage to property and the roads caused by the size and frequency of London Buses along Rayners Lane and (iii) drawing attention to road safety issues as Rayners Lane is the subject of weight restriction for heavy vehicles.

[Part (i) of the petition stood referred to the Development Control Committee and parts (ii) and (iii) to the Traffic Advisory Panel].

- (2) Submitted by Councillor Mrs Kinnear, containing some 26 signatures of residents of "Georgian Way, Harrow Hill", referring to the ongoing problems of St. Dominic's School students parking in their road and recommending a number of traffic options to be considered by the Council at the earliest opportunity.

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

- (3) Submitted by Councillor Anjana Patel, containing some 1,000 signatures of local residents, urging the Council to improve the safety of the crossing at the intersection of The Ridgeway and Imperial Drive between North Harrow and Rayners Lane and proposing various initiatives to address the perceived problems for the consideration of the Council.

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

305. **PUBLIC QUESTIONS:**

Further to Item 6 on the Summons, the following question was submitted by a member 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 P Seedher	The Leader of the Council (Councillor N. Shah)	“Could Councillor Shah give details of the £568,000 that Harrow Council is writing off as bad debt because it is unable to recharge it to the Primary Care Trust – specifically what was the arrangement in terms of the agreed or contractual process for recovery of money spent by Harrow Council on behalf of the PCT? Were senior Council Officers aware of these arrangements and what steps did they take through the year to monitor compliance and recovery of Council money? At which point in the year did they notice that money was not being or could not be recovered?”

[Note: (i) The Leader of the Council advised that he would provide a written response to the questioner;

(ii) the questioner was permitted to pose a supplemental question notwithstanding but this was considered to have been expressed in the form of a statement, to which there was not a response;

(iii) upon request, the Council agreed that the Leader’s written reply referred to at (i) above would be copied to all Members].

[Note: The answer to the question has been published on the Council’s website].

C OTHER REPORTS FROM THE EXECUTIVE

306. CORPORATE PLAN 2005/2006:

Further to Item 7 on the Summons, the Council received Recommendation I of the Cabinet meeting of 14 April 2005 in this matter.

The Leader of the Council formally moved Recommendation I and commended the Corporate Plan to the Council.

The Recommendation was adopted as printed.

RESOLVED:

(1) THAT THE DRAFT CORPORATE PLAN 2005/06 BE APPROVED FOR PUBLICATION IN MAY 2005;

(2) THAT THE CORPORATE PLAN BE ADOPTED AS THE COUNCIL’S BEST VALUE PERFORMANCE PLAN, SUBJECT TO THE NECESSARY ADJUSTMENTS TO CONTENT, AND THAT CABINET BE AUTHORISED TO APPROVE THESE MODIFICATIONS;

(3) TO NOTE THAT AS WELL AS PUBLISHING THE CORPORATE PLAN, A FOUR PAGE SUMMARY OF THE CORPORATE PLAN WOULD BE DISTRIBUTED TO ALL HOUSEHOLDS WITHIN THE BOROUGH;

(4) THAT THE CORPORATE PLAN BE REFERRED TO THE OVERVIEW AND SCRUTINY COMMITTEE FOR THEIR COMMENTS WHICH WOULD THEN BE FORWARDED TO CABINET FOR THEIR CONSIDERATION WHEN APPROVING THE FINAL BEST VALUE PERFORMANCE PLAN IN JUNE 2005.

307. DECISIONS TAKEN UNDER THE URGENCY PROCEDURE AND THE USE OF THE SPECIAL URGENCY PROCEDURE:

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 Director of Corporate Governance reported at Item 8 of the Summons respectively those urgent decisions and special urgency decisions taken on behalf of the Executive, as individually authorised by Portfolio Holders since the previous Council Meeting.

RESOLVED:

THAT THE URGENT DECISIONS TAKEN BY INDIVIDUAL PORTFOLIO HOLDERS ON BEHALF OF THE EXECUTIVE SINCE THE PREVIOUS COUNCIL MEETING, AS NOW REPORTED, BE NOTED.

D ISSUES RAISED BY COUNCIL MEMBERS**308. QUESTIONS WITH NOTICE (COUNCIL PROCEDURE RULE 13):**

Further to Item 9 on the Summons, the following question had been submitted by a Member of Council, notice of which had duly been given under the provisions of Council Procedure Rule 13.2.

<u>QUESTION BY</u>	<u>QUESTION OF</u>	<u>TEXT OF QUESTION</u>
Councillor Mrs Joyce Nickolay	Environment and Transport Portfolio Holder (Councillor O'Dell)	"Please would the Portfolio Holder tell me the annual cost of maintaining the water features at the front of the Civic Centre? Would it be more cost effective and attractive to have a planted area of mainly low slow growing shrubs (bearing in mind that the cost of annual maintenance would reduce in subsequent years after the initial implementation cost)?"

[Note: The original question and a supplemental question under the provisions of Council Procedure Rule 13.5 were both answered orally by the Portfolio Holder].

309. MOTION AT ITEM 10(1) - PROPERTY REVALUATION AND THE COUNCIL TAX:

(i) Councillor C. Mote moved and Councillor John Nickolay seconded the Motion appearing at Item 10(1) of the Summons.

(ii) Councillor Dighé moved and Councillor Foulds seconded the following amendment:-

"Under the section "This Council believes that: ..." to add a paragraph 4, to read as follows:-

"4. a property based tax requires revaluations to smooth out anomalies".

Under the section "This Council resolves: ..." to add paragraphs 4 and 5, to read as follows:-

"4. To campaign for the savings and income disregards to also be set regionally to reflect disparities in the cost of living.

5. To campaign for a fairer system that better reflects ability to pay." "

Upon a vote the amendment was carried.

(iii) Upon a further vote the substantive Motion, as amended, was carried in the following terms:-

"That this Council notes that options for change to the financing of local government are under consideration through the Lyons Inquiry, expected to report to Government in December 2005. These options, combined with the effect of Council Tax revaluation, could drastically increase the bills of Harrow residents. As a result of the recent revaluation in Wales, one in three households have been moved up one or more bands whilst less than one in ten have moved down a band. In some parts of Cardiff and Wrexham, nine out of every ten homes have moved up one or more bands. With the revaluation just starting in England, there is genuine concern that this process will lead to substantial rises. This concern is particularly acute in London, and especially in Harrow, where property values are a poor proxy for ability to pay.

This Council believes that:

1. Harrow residents should not be penalised in any revaluation process or changes in the system of local government finance;
2. the impact should not be disproportionate for Harrow taxpayers;
3. every effort should be taken to achieve a tax neutral outcome from the revaluation in recognition of the disparity between disposable income and property values for lower income households, be they pensioners, low income families or young people;
4. a property based tax requires revaluations to smooth out anomalies.

This Council resolves:

1. to campaign for Harrow taxpayers to be treated fairly by the revaluation and any proposed changes to local government financing;
2. to write to the ODPM expressing concern at the impending revaluation and its possible effects on Harrow and to ask that it be tax neutral in outcome for Harrow residents;
3. to campaign for London to be treated as a distinct region in revaluation through regional Council Tax banding so as to better reflect London's higher house prices compared to house prices in other parts of the country;
4. to campaign for the savings and income disregards to also be set regionally to reflect disparities in the cost of living;
5. to campaign for a fairer system that better reflects ability to pay."

RESOLVED:

THAT THE MOTION SET OUT AT (iii) ABOVE BE ADOPTED.

310. MOTION AT ITEM 10(2) - POSTAL VOTING:

- (i) Councillor Anjana Patel moved and Councillor C. Mote seconded the Motion appearing at Item 10(2) of the Summons.
- (ii) An amendment in the names of Councillor Burchell and Councillor Idaikkadar had been tabled.
- (iii) The mover and seconder of the original Motion indicated their willingness to accept the amendment.
- (iv) With the assent of the Council the amendment was formally moved by Councillor Burchell and seconded by Councillor C. Mote in the following terms:-

"In line one, to delete the words "the postal vote rigging" and to substitute the wording:-
"any form of fraud or malpractice"

After the word "elections", to delete all remaining words and to substitute the following:-

"in other parts of the country and resolves to request the Electoral Commission to bring forward recommendations to government to improve the integrity of the electoral system"."
- (v) By the general assent of the Council the substantive Motion, as amended, was adopted in the following terms:-

"This Council deplors any form of fraud or malpractice that has occurred in elections in other parts of the country and resolves to request the Electoral Commission to bring forward recommendations to government to improve the integrity of the electoral system".

RESOLVED:

THAT THE MOTION SET OUT AT (v) ABOVE BE ADOPTED.

311. MOTION AT ITEM 10(3) - PCT CONTRACTS:

- (i) Councillor Silver moved and Councillor Myra Michael seconded the Motion at Item 10(3) of the Summons, in the following terms:-

“This Council, due to the financial losses incurred on joint PCT contracts, asks that the Health and Social Care Sub-Committee of the Overview and Scrutiny Committee investigate past contracts with a view to make recommendations on how this can be avoided in future.”

- (ii) Councillor Margaret Davine moved and Councillor Ann Groves seconded the following amendment:-

“After the opening words “This Council” to delete the remaining wording in the original Motion and to substitute the following:-

“would welcome scrutiny of the Council’s present and future NHS continuing care arrangements, which have been agreed with the PCT.

This Council believes:

1. That as a result of the settlement of past invoices, which was welcomed and agreed by the Cabinet with all party support on Thursday 17 March 2005, a line is drawn under the former unsatisfactory and complicated arrangements.
2. That the new commissioning arrangements, which reflect the agreed continuing care criteria, create a fundamentally different relationship between the Council and the PCT.
3. It would not be good use of the Health and Social Care sub committee’s time and resources to review again the detail of the contract going back to 2000/2001.

This Council resolves:

1. That the Health and Social Care Sub Committee of the Overview and Scrutiny Committee be asked to review future contracts and arrangements with the PCT for the delivery of NHS continuing care with a view to making recommendations on improvements for the future.
2. That the Health and Social Care Sub Committee be asked to monitor the implementation of contracts by receiving updates on a three monthly basis.”

- (iii) In the course of debate on the amendment, the mover and seconder of the amendment indicated their wish to delete paragraph “3” under the section “This Council believes”, with a view to achieving a consensus.

- (iv) The mover of the original Motion advised that the wording of paragraph “1” in the same section remained unacceptable.

[Note: Under the provisions of Procedure Rule 17.10(d) it was twice moved “that the question be now put”;

- (a) By Councillor Toms at 8.42 pm, which was not then accepted by the Mayor as she then had notice of further speakers; and

- (b) by Councillor Romain at 8.46 pm, which was accepted by the Mayor].

- (v) The Mayor then put to the Council for a vote the amendment then under debate, as altered by the deletion of paragraph “3” under the section

“This Council believes”.

Upon a vote the amendment, as so altered, was carried.

- (vi) Upon a further vote the substantive Motion, as amended, was carried in the following full terms:-

“This Council would welcome scrutiny of the Council’s present and future NHS continuing care arrangements, which have been agreed with the PCT.

This Council believes:

1. That as a result of the settlement of past invoices, which was welcomed and agreed by the Cabinet with all party support on Thursday 17 March 2005, a line is drawn under the former unsatisfactory and complicated arrangements.
2. That the new commissioning arrangements, which reflect the agreed continuing care criteria, create a fundamentally different relationship between the Council and the PCT.

This Council resolves:

1. That the Health and Social Care Sub Committee of the Overview and Scrutiny Committee be asked to review future contracts and arrangements with the PCT for the delivery of NHS continuing care with a view to making recommendations on improvements for the future.
2. That the Health and Social Care Sub Committee be asked to monitor the implementation of contracts by receiving updates on a three monthly basis.”

RESOLVED:

THAT THE MOTION SET OUT AT (vi) ABOVE BE ADOPTED.

E **MISCELLANEOUS**

312. COUNCILLOR HOWARD BLUSTON:

The Worshipful the Mayor notified Council that she had been advised after the commencement of the meeting that Councillor Bluston’s absence from the proceedings was due to him having been admitted recently to hospital.

The Council recorded its best wishes for Councillor Bluston’s speedy recovery from illness.

(CLOSE OF MEETING: All business having been completed, the Mayor declared the meeting closed at 8.50 pm).