

---

**REPORT OF CABINET**


---

**MEETING HELD ON 17 MARCH 2005**


---

Chair: \* Councillor N Shah

Councillors: \* D Ashton \* C Mote  
 \* Burchell \* Marie-Louise Nolan  
 \* Margaret Davine \* O'Dell  
 \* Dighé \* Stephenson  
 \* Miss Lyne

\* Denotes Member present

[Note: Councillors Mrs Kinnear and John Nickolay also attended this meeting to speak on the item indicated at Minute 723 below].

**PART I - RECOMMENDATIONS - NIL**

**PART II - MINUTES**

708. **Apologies for Absence:**  
 Apologies for absence were received from the Chief Executive, and from Councillors Jean Lammiman and Ingram, Lead Members of the Budget Processes Scrutiny Review Group, in respect of agenda item 8 (Minute 716 refers).

709. **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 - Financial Settlement with Harrow Primary Care Trust	Councillor Margaret Davine	The Member indicated a personal interest. She would remain in the room whilst the matter was considered and voted upon.
11. Key Decision – Grant Funding 2005-06	Councillor Miss Lyne	The Member indicated a personal interest in that she was a member of the Citizens' Advice Bureau. She would remain in the room whilst the matter was considered and voted upon.
	Councillor N Shah	The Member indicated a personal interest in that he was a trustee of the Harrow Anti-Racist Alliance. He would remain in the room whilst the matter was considered and voted upon.
12. Multi-Agency Strategy for the Development of Services to Refugees and Asylum Seekers	Councillor Miss Lyne	The Member indicated a personal interest in that she was a member of the Citizens' Advice Bureau. She would remain in the room whilst the matter was considered and voted upon.
19. Key Decision – Award of Contract for the Provision of Internal Audit Services	Councillor Burchell	The Member indicated a personal interest. However, he would leave the room whilst the matter was considered and voted upon.

710. **Minutes:**

**RESOLVED:** That the minutes of the meeting held on 17 February 2005, having been circulated, be taken as read and signed as a correct record.

711. **Arrangement of Agenda:**

The Chair indicated that he was prepared to consider item 20, the report from the Executive Director (Business Connections) entitled Asset Management Contract, as urgent.

The Chair indicated that he would be varying the order of business to enable consideration of item 15, Petts Hill Road Improvement Scheme, following item 5. Item 9, Audit and Inspection Letter for 2004, and item 6, Strategic Performance Report – Quarter 3 2004/05, would then be considered. During the course of the meeting, the Chair also indicated that Cabinet would debate item 10, Financial Settlement with Harrow Primary Care Trust, in the confidential session of the meeting.

**RESOLVED:** That all business be considered with the press and public present with the exception of the following items for the reasons set out below:

<u>Item</u>	<u>Reason</u>
10. Key Decision - Financial Settlement with Harrow Primary Care Trust	The report contained exempt information under paragraphs 7 and 8 of Part I of Schedule 12A to the Local Government Act 1972 (as amended) in that it contained:  (1) information relating to the financial or business affairs of any particular person; and  (2) information relating to any expenditure proposed to be incurred by the authority under particular contract for the supply of services.
18. Key Decision - Renewal of Council Insurance Programme 1 April 2005	The report contained exempt information under paragraph 8 of Part I of Schedule 12A to the Local Government Act 1972 (as amended) in that it contained information relating to any expenditure proposed to be incurred by the authority under a particular contract for the supply of services.
19. Key Decision - Award of Contract for the Provision of Internal Audit Services	The report contained exempt information under paragraph 9 of Part I of Schedule 12A to the Local Government Act 1972 (as amended) in that it contained information in relation to the terms proposed by or to the authority in the course of negotiations for a contract for the supply of services.
20. Asset Management Contract	The report contained exempt information under paragraph 8 of Part I of Schedule 12A to the Local Government Act 1972 (as amended) in that it contained information relating to the terms of a contract.

[Note: Business is recorded in the order set out in the agenda for reasons of clarity].

712. **Petitions:**

Councillor Knowles submitted a petition containing 35 signatures in relation to the speed and volume of traffic using Tillotson Road, Harrow Weald. The terms of the petition were as follows:-

“We, the undersigned, being concerned at the speed and volume of traffic using Tillotson Road, Harrow Weald, and the congestion caused at Hatch End High School opening and closing times, demand that Harrow Council consults us, and takes actions, on options to remedy this terrible situation.”

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

713. **Public Questions:**

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

1.

**Questioner:** Linda Koupparis, Chair, Danemead Grove & Petts Hill Residents' Association

**Asked of:** Councillor Phil O'Dell (Portfolio Holder for Environment and Transport)

**Question:** "The Petts Hill Bridge Project will result in pedestrians having to walk through underpasses and enclosed spaces. Following a vicious murder in an enclosed area in Northolt this proposal has generated real and considerable fear amongst local residents, especially the elderly and parents, who have to walk under the bridge on a daily basis to go about their daily lives.

On this basis I ask:

Why, when pedestrians walking through enclosed areas contravenes the Mayor of London's Walking Plan for London, was this project designed so that pedestrians are compromised in return for a bus delay reduction estimated to be of only one minute in one direction only?"

2.

**Questioner:** Ian Jones

**Asked of:** Councillor Phil O'Dell (Portfolio Holder for Environment and Transport)

**Question:** "Negotiations and design for the Petts Hill Bridge Project commenced over two years ago. This was reported as involving the London boroughs of Harrow and Ealing, Transport for London and Network Rail.

It now transpires that:

1. Network Rail has only been involved in negotiations during the last nine months.
2. Since Cabinet approved the proposals for the project, Network Rail may require the walls of the existing bridge to be side pinned.
3. Since Cabinet approved the proposals for the project, Network Rail may now require the ends of the proposed underpasses to be extended.

On this basis can answers be given to the following:

Why, when it was known that Network Rail refused to contribute to complete bridge replacement, were the elected Members in Ealing and Harrow most concerned not informed and high level involvement instigated towards full and proper negotiations towards achieving complete bridge replacement?

[Note: Oral answers were provided to questions 1 and 2. Under the provisions of Executive Procedure Rule 15.4, both questioners also asked supplementary questions which were additionally answered.]

714. **Strategic Performance Report - Quarter 3 2004/05:**

The Executive Director (Organisational Development) introduced the report to the Performance Board and outlined the actions being taken. She highlighted the significant areas of progress over the third quarter and the areas requiring further work. She recognised the need to re-direct resources where targets were not being achieved. She identified services which had contributed to major achievements.

During discussions, Members were informed by the Director of Strategy (Urban Living) that work on the Bio-Diversity Plan would commence soon, providing the Planning

Service was able to recruit and retain staff. A Member commented that given the potential for sizeable developments in the Green Belt area, this area of work ought to be given priority.

Members paid tribute to the work undertaken by the Supporting People Service, which had done exceptionally well in its recent inspection. Members also paid tribute to the work on homelessness carried out by staff in the Housing Needs Section and congratulated them on their success in winning an award.

Members commented on the need for clarity in the presentation of the information provided and it was

**RESOLVED:** (1) That the performance report and the actions being taken be noted;

(2) that officers note the adaptations identified by the Performance Board and incorporate them into the Strategic Performance Report.

**Reason for Decision:** It had previously been agreed that Cabinet would receive Quarterly Performance Information Report in its role as Performance Board.

715. **Forward Plan 1 March - 30 June 2005:**

**RESOLVED:** To note the contents of the Forward Plan for the period 1 March – 30 June 2005.

716. **Scrutiny Review of Budget Processes:**

The Executive Director (Organisational Development) presented the report on behalf of Members of the Budget Processes Scrutiny Review Group, and responded to a number of questions from Members.

During discussion on this report, the Chair agreed with the suggestion of a Member on the need to engage Members who had special expertise in this area.

The Portfolio Holder for Business Connections and Performance commented on the Scrutiny Review recommendations set out at Appendix 3 of the report and, amongst others, made the following points:

- 'ownership' was subjective and would be difficult to measure;
- the Council did not have the capacity to draw up an annual 'business plan' along the lines of that prepared by Kensington and Chelsea Council;
- he questioned why incentives should be different for different staff.

He highlighted the need for the Council to provide detailed information on the draft budget and to ensure that this was in the public domain at an early stage.

**RESOLVED:** (1) To note the interim findings of the Scrutiny Review of Budget Processes; and

(2) that the response set out in Appendix 3 to the officer report be agreed.

**Reason for Decision:** In order to respond to the findings of the Phase 1 Review considered by the Overview and Scrutiny Committee on Budget Processes.

717. **Audit and Inspection Letter for 2004:**

Nigel Johnson of Deloitte and Touche, the Council's External Auditors, submitted the apologies of the Relationship Manager who was not able to attend the meeting that evening.

Mr Johnson drew Members' attention to the key points in the officer report and stated that he was pleased to report that further improvements had been made in many areas of the Council. He added that the Council had been given a 'fair' qualitative assessment. He informed Members that Harrow had stabilised its finances and was managing them in an increasingly strategic manner. He was also pleased to see the establishment of the Audit Committee.

He pointed out that further improvements were necessary and that the Audit Commission was consulting on a new framework for CPA in 2005 and beyond, which was likely to result in increased and rigorous challenges for the Council.

The Executive Director (Business Connections) and Mr Johnson responded to a number of questions from Members. They highlighted pieces of work that were being developed and the issues over resources, which had led to a delay in finalising the accounts.

The Chair thanked Mr Johnson for his presentation. The Chair stated that the Council was moving in the right direction and that radical changes would benefit the residents of the borough. He acknowledged that the accounting process needed improving and was of the view that increasing joined-up working would bring greater benefits in service delivery.

**RESOLVED:** (1) To note the contents of the Annual Audit and Inspection Letter for 2004;

(2) to note that the recommendations outlined in the Annual Audit and Inspection Letter would be integrated into the Corporate Plan from April 2005;

(3) to note that the Annual Audit and Inspection Letter would be considered by the Audit Committee and the Overview and Scrutiny Committee at their next meetings.

**Reason for Decision:** In order for the Executive to meet the statutory requirement to consider the Annual Audit and Inspection Letter and its recommendations.

718. **Key Decision - Financial Settlement with Harrow Primary Care Trust:**

Members commended the work done by the Group Manager (Finance) in this area and the Portfolio Holder for Social Care and Health undertook to write to her personally thanking her for the work she had done.

Following a short discussion in the confidential session of the meeting it was

**RESOLVED:** (1) To approve the payment of £1.44m offered by Harrow Primary Care Trust (PCT) in settlement of outstanding invoices prior to 1 April 2004;

(2) to write off £568,501.30 of debt invoiced to Harrow PCT, as detailed in the officer report.

**Reason for Decision:** Cabinet approval is required to write off any debts above £25k and to stop devoting resources to follow up the outstanding debts.

(See also Minute 709).

719. **Key Decision - Grant Funding 2005-06:**

The Executive Director (Business Connections) introduced the report and drew Members' attention to the recommendations from the meetings of the Grants Advisory Panel and the reference from the Strengthening Communities Scrutiny Sub-Committee. Members acknowledged the good work carried out by the Harrow Community Transport Network, but felt that it would be inappropriate for the Council to single out an organisation and administer financial aid "as and when it was required".

During further discussion, a Member highlighted the need to ensure that the correct procedures were applied in the administering of grants from the next financial year.

The Chair reported on his discussions with organisations which had highlighted a number of pertinent issues which would be examined further. The Chair also pointed out the need to provide support to organisations in accessing sources of funding other than from the Council.

**RESOLVED:** (1) To note that the overall grants budget for 2005/2006 is £1,139,600;

(2) to agree that the amount of £31,800 accounts for inflation additions for salaries;

(3) to agree the Grants Advisory Panel's 'in principle' decisions on grant funding and reserved funding in relation to the individual grant applications, as set out in the appendix to Recommendation 1 of the Grants Advisory Panel meeting on 24 January 2005;

(4) that the reserved grants in 2004/05 amounting to £12,000 which cannot be released, be withdrawn and taken back into the grant aid budget, together with £1,223 which was unallocated in 2004/05;

(5) that the provision of £13,223 be carried forward into 2005/06 in accordance with Financial Regulations;

(6) that the Grants Advisory Panel's in-principle decisions on the outstanding grant applications, as outlined in the appendix to Recommendation 2 of the Grants Advisory Panel meeting on 28 February 2005, be agreed;

(7) that the reference from the Strengthening Communities Scrutiny Sub-Committee meeting held on 25 January 2005 be noted.

**Reason for Decision:** To finalise the allocation of funding to voluntary organisations in 2005/06.

(See also Minute 709).

720. **Multi Agency Strategy for the Development of Services to Refugees and Asylum Seekers:**

The Executive Director (People First) introduced the report and pointed out that if Members were minded to agree the recommendation therein, they would also be approving model 2 set out in Appendix 3 of the officer report.

The Portfolio Holder for Education and Lifelong Learning commended the report and it was

**RESOLVED:** That the Strategy be approved and that it be presented to the Harrow Strategic Partnership for formal adoption.

**Reason for Decision:** Formal Cabinet approval of the revised Strategy was required prior to seeking its formal adoption by the Harrow Strategic Partnership.

(See also Minute 709).

721. **Harrow People:**

The Group Manager for Communications introduced the report and highlighted a number of issues, including the fact that an increase in the frequency of the Harrow People magazine would achieve a net saving to the Council. He advised against the use of the postal service as a mode of delivery as this would be very expensive.

Following a short discussion, it was

**RESOLVED:** That the Harrow People magazine be a bi-monthly publication from June 2005.

**Reason for Decision:** Recent MORI surveys indicate that residents want more communication from their local authority. Indications from readers of Harrow People are that they would prefer a monthly or bi-monthly publication.

722. **Local Development Scheme:**

The Director of Strategy (Urban Living) introduced the report and sought Members' approval of the Local Development Scheme (LDS) as amended by the Strategic Planning Advisory Panel on 1 March 2005. The minutes of the meeting were also tabled. The Director stated that she did not expect any further major changes to be made to the Scheme by the Government Office for London (GOL) and/or the Planning Inspectorate.

The Portfolio Holder for Planning, Development and Housing agreed with a suggestion from a Member that if significant changes were made to the LDS, these ought to be submitted to the Strategic Planning Advisory Panel for comment.

**RESOLVED:** That, subject to the inclusion of necessary additions resulting from the receipt of further comments from the Government Office for London (GOL) and the Planning Inspectorate, the Local Development Scheme be approved for submission to GOL by 28 March 2005, as recommended by the Strategic Planning Advisory Panel.

**Reason for Decision:** The LDS is required to be approved by Cabinet prior to submission to the GOL by 28 March 2005. Submission of the LDS by the set deadline, the priorities included and the delivery of the programme set out in the LDS are important elements of performance management with direct links to Planning Delivery Grant. Public involvement on the draft was seen as a positive start to the LDF process, increasing public awareness at the outset.

723. **Petts Hill Road Improvement Scheme:**

Cabinet received, under Council Procedure Rule 15.6, a reference from the Council meeting held on 24 February 2005, which set out a motion relating to the Petts Hill Road Improvement Scheme. In accordance with paragraph 18 of the Executive

Procedure Rules, and following considerable debate, it was agreed that Councillors Mrs Kinnear and John Nickolay could speak on this item.

During the course of the debate, the Leader of the Conservative Group stated that, if motions were referred by Council to Cabinet before being proposed or discussed, he would be seeking changes to the Council's Constitution to ensure that such motions were proposed and seconded and fully debated at Cabinet.

An amendment to the motion referred from Council was tabled and, in response to questions from a Member, the Chair clarified both the contents of the amendment and the involvement of Network Rail.

The amendment to the motion was moved and seconded. The Environment and Transport Portfolio Holder stated that it would not be in the Council's interests to suspend work on Phase I as the Council would be in breach of the contract if such action was sanctioned. He added that whatever the eventual outcome, the work done under Phase I was essential. He outlined the position taken by Network Rail and their refusal to contribute towards the improvement of Petts Hill Bridge, which had left the Council and Transport for London (TfL) with the task of funding the necessary works and ensuring that these were carried out. He assured Members that a full report on Petts Hill Road Improvement Scheme would be submitted to the next meeting of Cabinet. He added that he had had informal discussions with the Senior Transport Minister, Tony McNulty MP, and that a formal meeting would be arranged.

He stated that it was essential that the preliminary works were carried out in order to make the Bridge safe, and that further works would not be sanctioned until agreements with appropriate parties had been reached. He also informed Members that a comprehensive scheme had not yet been finalised.

The Leader of the Conservative Group stated that, on this basis, his Group would support the amendment tabled at the meeting, but pointed out the need to address the safety aspects during final negotiations.

**RESOLVED (unanimously):** That the substantive motion, as amended, be adopted in the following terms:

"That the Council:

1. agrees to enter into discussions with Network Rail with a view to establishing a joint approach with TfL concerning implementation of a possible alternative comprehensive scheme. These should include discussions with the elected representatives at all levels to enable such a scheme to be evaluated;
2. needs to know the total cost of the scheme before work commences."

**Reason for Decision:** To ensure a joint approach to improvements to Petts Hill Bridge.

724. **Parks Pavilions:**  
Having welcomed this report, Cabinet

**RESOLVED:** (1) To declare a short-list of six pavilions surplus to the Council's requirements;

(2) that the Director of Strategy (Urban Living) be authorised to market them and grant leases on terms to be agreed.

**Reason for Decision:** To enable the buildings to be let and brought back into beneficial use and to help improve the environment in Harrow.

725. **Key Decision - Renewal of Council Insurance Programme 1st April 2005:**  
Members considered a confidential report from the Executive Director (Business Connections) in relation to the renewal of the Council Insurance Programme. The Executive Director (Business Connections) reported that pooling arrangements would be examined when the agreement with the Council's existing insurers came to an end in 2006.

**RESOLVED:** (1) That the Council's insurance programme for the 2005/2006 financial year be renewed with existing insurers at a cost of £1,238,500;

(2) that internal insurance provisions totalling £950,000 be established to meet anticipated self funded claims for 2005/2006 financial year.

**Reason for Decision:** To secure the Council's insurance requirements prior to 31 March 2005, when the current contracts expire.

726. **Key Decision - Award of Contract for the Provision of Internal Audit Services:**  
Members considered a confidential report from the Director of Financial and Business Strategy in relation to the award of a contract for the provision of internal audit services. In response to a question from a Member, the Executive Director advised against the setting up of an in-house team to carry out the work because of the specialist skills required, and because it would not be financially viable.

**RESOLVED:** That a two year call-off contract be awarded to pps Acit Ltd.

**Reason for Decision:** In order that the contract can be in place for the beginning of the 2005/06 financial year.

(See also Minute 709).

727. **Asset Management Contract:**  
Members considered a confidential report tabled at the meeting from the Executive Director (Business Connections) in relation to the Council's Asset Management Contract.

**RESOLVED (unanimously):** That the recommendations set out in the officer report be approved.

**Reason for Decision:** As set out in the officer report.

728. **Extension and Termination of the meeting:**  
In accordance with the provisions of Executive Procedure Rule 22.2 (Part 4D of the Constitution) it was

**RESOLVED:** To continue the meeting until 10.15 pm.

(Note: The meeting, having commenced at 7.30 pm, closed at 10.15 pm).

(Signed) COUNCILLOR NAVIN SHAH  
Chair