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**REPORT OF CABINET**


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**MEETING HELD ON 23 JUNE 2005**


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Chair: \* Councillor N Shah

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

\* Denotes Member present  
 † Denotes apologies received

**PART I - RECOMMENDATIONS - NIL****PART II - MINUTES**764. **Declarations of Interest:**

**RESOLVED:** To note that there were no declarations of interests made by Members in relation to the business to be transacted at this meeting.

765. **Minutes:**

**RESOLVED:** That the minutes of the meeting held on 19 May 2005, having been circulated, be taken as read and signed as a correct record.

766. **Arrangement of Agenda:**

The Chair indicated that he was prepared to consider the addendum to Item 16, the report from the Area Director (Urban Living) entitled Harrow Transport Spending Plan, and Item 19(a) entitled Grants Advisory Panel – Membership, as urgent for the reasons set out on the third supplemental agenda.

The Chair indicated that he would be varying the order of business to enable consideration of item 8, Inspection of Children's Services, following item 5. Item 15, Housing Stock Options Appraisal, would then be considered.

**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>
20. Camrose Avenue Playing Fields	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 relating to the terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition of property.
21. Business Transformation Partnership	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 relating to the terms proposed or to be proposed in a contract for the acquisition or disposal of property or supply of goods and services.

[Note: During the course of the meeting, the order of business was varied further and item 15 was considered after items 6, 7, 9 and 10 in order to allow a representative from Weedon Grant financial consultants to be present at the meeting during consideration of item 15].

767. **Petitions:**

**RESOLVED:** To note that no petitions had been received.

768. **Public Questions:**

**RESOLVED:** To note that the following public question had been received.

1.

**Questioner:** Mr Pravin Seedher

**Asked of:** Councillor Margaret Davine (Portfolio Holder for Social Care and Health)

**Question:** “Cllr Davine - you hinted last time that you had done rather well in your role. But under your watch - council tax payers are £568,000 out of pocket due to Harrow Council's failure to properly recharge various care costs to the PCT. Did you at any time attempt to understand the scale and nature of the activities of the department for which you are the Portfolio Holder, or, put another way - what single action do you regret not having taken which would have identified this mistake and nipped it in the bud - before it cost us 1 penny in wasted funds?”

[Note: An oral answer was provided to the above question. Under the provisions of Executive Procedure Rule 15.4, the questioner asked a supplemental question which was additionally answered].

769. **Inspection of Children's Services:**

The Chair welcomed and invited Ian Whitehead and Ann Graham, Inspectors from the Commission for Social Care Inspection (CSCI), who were in attendance to make a presentation following the inspection of Harrow's Children's Services. Members were informed that the purpose of the inspection had been to evaluate the effectiveness of the Children's Services in three major areas - the provision of family support, services to children 'looked after' and child protection.

Ian Whitehead, the Lead Inspector, in his presentation to Cabinet, defined the role of the Commission and outlined the key findings from the inspection. He informed Members that the service had been judged on a list of standards which had been divided into the following criteria:

- how effective was the service provided?
- was there fair access to the services?
- the organisational and management arrangements.

He stated that Harrow Council had a number of strengths and was a visionary authority, an approach which was in line with national priorities. He described the excellent work done by the Council to engage with young people. He commended Members on their understanding of their role of corporate parenting. He stated that, whilst the Inspection had shown that some people were well served, there were areas which would benefit from further development. He described these areas – safeguarding, quality of social work practice, workforce and re-focusing – which required further development, in detail, during his presentation.

In concluding his presentation, Ian Whitehead stated that, during the inspection, the Commission had recognised:

- that the Council had embarked on a 'Change' Strategy
- the high level of Member support for improvement and the Council's modernisation agenda
- the building blocks which were in place at the time of the inspection.

He added that the Council had much to do in order to deliver services of the size and quality the public were entitled to expect, but he was confident that the Council's 'Change' Strategy would ensure that improvements continued which Members would be proud to own.

Members thanked Ian Whitehead for the presentation and proceeded to ask questions. Ian Whitehead and Ann Graham, in their responses, clarified that:

- the methodology used focused on the provision of services at ground level but they had recognised that there were pockets of excellence and that the Council had undertaken ground-breaking work in various areas

- the statements issued by the Council in celebration of the ground-breaking work had not been considered to be 'tokenistic' by the Commission
- the young service users had generally been positive about the Council
- the inspection had been objective.

The Director of Children's Services (People First) and the Executive Director (People First) reported on the changes that had been implemented since the inspection, and explained how these changes would help deliver a consistent and excellent service throughout Children's Services. They added that the inspection had not revealed any surprises, but that the report of the Commission provided a sharper focus towards the drive for improvements. They recognised the need to embed consistent good practice and informed Members that the inspection report was now part of the People First Business Plan.

The Leader of the Council thanked Ian Whitehead, Ann Graham and the Council's Director of Children's Services for the part they had all played in undertaking this challenging work. He added that the Council was committed to ensuring that improvements in the service continued and he referred to the commitment of staff to improve the service. He was confident that the next inspection would see the products of the improvements already in place.

Finally, the Leader of the Council placed on record Members' appreciation of the commitment and hard work carried out by staff in Children's Services.

**RESOLVED:** That the Inspection report, and the actions being taken, be noted.

**Reason for Decision:** To enable Members to form an overview of Children's Services.

770. **Forward Plan 1 June - 30 September 2005:**

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

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

**RESOLVED:** To note that no reports had been received.

772. **Service Integration across Health and Social Care - Community Care Services and Children's Services:**

The Executive Director (People First) introduced the report and highlighted a number of pertinent issues to Members. She added that the recommendations, if approved, would allow the Council to set up a number of formal arrangements with the Primary Care Trust (PCT) which would help the Council safeguard its position and set the foundations for future joint-working. She stated that a Health and Social Care Integration Board would be established which would help to provide a focus for reference groups.

The Portfolio Holder for Social Care and Health welcomed the report which set out a clear system for operation. She added that the PCT had agreed the proposals and that working in partnership would be beneficial to both parties concerned.

The Executive Director (People First) assured Members that six monthly reports would be submitted to Cabinet which would also help to provide a monitoring role. She agreed to clarify whether Members of the Council could serve on the PCT Board.

She informed Members that the Council had not been successful in securing funding for older people but officers would be making representations to the government. She undertook to keep Members informed of the outcome of these representations.

**RESOLVED:** (1) That the proposed governance arrangements, as described in Section 2.2 of the officer's report, be endorsed and that, given that these arrangements build on the existing Harrow Strategic Partnership operation, the proposals be forwarded to the Harrow Strategic Partnership Board for their consideration and adoption;

(2) that the proposed Section 31 Agreement with the Harrow Primary Care Trust (HPCT), covering the role, management and functioning of the Joint Commissioning Unit, be approved, and that the Executive Director (People First), in consultation with the Portfolio Holder for Health and Social Care, be authorised to make any final drafting changes that may be required following the Cabinet and PCT Board meetings; and

(3) that the proposed Joint Commissioning Strategies produced in conjunction with the PCT for each of the four main (adult) Community Care care-groups be approved.

**Reasons for Decision:** (1) To provide a foundation on which further detailed joint-working proposals can be developed for specific service areas.

(2) The proposed Governance arrangements, the proposed S.31 Agreement, and the proposed Joint Commissioning Strategies provide a firm foundation for further service integration in these areas. These arrangements support achievement of the Council's priorities "Valuing Harrow's customers – joining up with other service providers so that users receive a seamless service", and "Impact through Harrow's partnerships – working with partners to improve the health of Harrow people".

(3) The arrangements proposed support delivery of key Government policy requirements and elements of the Council's Community Strategy and Corporate Plan.

773. **Phase 3 Delegated Funding for Pupils with Special Educational Needs (SEN) Statements in Mainstream Schools:**

The Portfolio Holder for Education and Lifelong Learning commended the report to Cabinet. He paid tribute to the work undertaken by the Lifelong Learning Scrutiny Sub-Committee and moved an amendment that the Sub-Committee monitor the implementation of the proposals. He informed Members that the actual delegation formula would be submitted to the Schools Forum for approval.

The Executive Director (People First) also commended the work carried out by the Lifelong Learning Scrutiny Sub-Committee. She added that the proposals would enable headteachers to allocate funds more quickly.

The Leader of the Conservative Group welcomed the report and referred to the benefits of joined-up working between the Scrutiny and the Executive functions of the Council. He noted that leaflets would be produced to ensure that all parties affected by the proposals were informed of the revised proposals, and that the new proposals would be monitored to help identify any problems.

**RESOLVED:** (1) To approve and endorse the principles of Phase 3 delegated funding for pupils with SEN statements in mainstream schools from September 2005;

(2) that the proposals for developing the delegation formula further be agreed;

(3) that the legal report, requested by Cabinet at its meeting held on 17 February 2005, be noted;

(4) that the Lifelong Learning Scrutiny Sub-Committee be asked to monitor implementation of these proposals in Autumn 2006.

**Reason for Decision:** The introduction of a formula element for SEN funding will support early intervention and wider preventative measures in schools and reduce bureaucracy.

774. **Key Decision - Housing Stock Options Appraisal:**

The Director of Strategy (Urban Living) introduced the report which provided details of the options appraisal process, which had been undertaken to determine the most suitable options for Harrow Council to deliver Decent Homes by 2010. She drew particular attention to the cost of the proposals and the associated risks, and referred to

- the recommendations from the Housing Improvement Options Advisory Panel which had been circulated with the fourth supplemental agenda; and
- the interim results of the Test of Resident Opinion Study circulated with the fifth supplemental agenda which showed that the majority of the tenants preferred to remain under the management of the Council.

The Director of Strategy (Urban Living) pointed out that, should Members decide to go through a formal ballot of the tenants and the tenants choose not to vote for a stock transfer option, the entire cost of the process would be charged to the Housing Revenue Account (HRA).

The Chair welcomed Martin Watkins of Weedon Grant financial consultants and Simon Waple, a financial consultant working on behalf of Harrow Council. Martin Watkins informed Members that his role was to provide an independent validation of the

proposals in order to satisfy the Council, the Office of the Deputy Prime Minister (ODPM) and Harrow Council. A summary of his report was tabled at the meeting and discussed further. Martin Watkins also responded to a number of questions from Members.

During further deliberations, Members were informed that the final decision on which option to proceed with could only be taken by the Executive and therefore it was not appropriate to replace Councillor Thornton with Councillor Miss Lyne as recommended by the Housing Improvement Options Advisory Panel. However, Members agreed that it would be appropriate for Councillors Thornton and Miss Lyne to liaise on this matter.

Members also noted that the revisions to the Medium-Term Business Strategy (MTBS) would be submitted to Cabinet in July 2005 for approval.

The Portfolio Holder for Planning, Development and Housing moved the following amendment and it was

**RESOLVED:** (1) To commend the work carried out by the Options Appraisal Working Group, Harrow Federation of Tenants' and Residents' Associations (HFTRA), Tenants' and Residents' Associations and Officers involved in the options appraisal work, which had enabled this options appraisal to be carried out to a very tight timescale;

(2) to note the recommendations of the residents involved in the Option Appraisal Working Group, set out at Appendix G to the Officer's report, and to approve:

- (a) the transfer of 25% of useable capital receipts or a minimum of £500,000 per annum from the General Fund to the HRA to the year 2010, providing useable RTB receipts are at least this amount;
- (b) subject to maintaining a balanced HRA and positive cash flow over 30 years, additional spending on discretionary estate improvements of up to £5m, over and above the Decent Homes work to properties;
- (c) the establishment of a process, as set out in the Residents Charter (Appendix L to the officer report), to establish a Tenants' Management Board, supported by Officers, Independent Tenants' Advisor Service and other resources as necessary.

(3) to note the recommendations of the Housing Improvement Options Advisory Panel tabled at the meeting;

(4) to note the headline results of the test of opinion survey to tenants and leaseholders on the options tabled at the meeting;

(5) to note that the Medium-Term Business Strategy (MTBS), to reflect actual activity, would be submitted to Cabinet in July 2005;

(6) to approve the Harrow Decent Homes Standard;

(7) to reject the ALMO and PFI options as these are considered to be unsuitable to deliver the Harrow Decent Homes Standard;

(8) to note that the Harrow Decent Homes Standard can be achieved either through a retention option with prudential borrowing or through transfer of the stock to a registered social landlord;

(9) to confirm that Harrow should retain its housing stock using prudential borrowing to make up the funding gap, and that officers continue to use the local voluntary transfer data as a benchmark to assess the implementation plan for the retention option;

(10) to delegate to the Leader of the Council, in consultation with Councillor C Mote and Councillor Thornton, the approval of the written submission to the ODPM;

(11) to note that, should Cabinet decide to retain the housing stock, the tenants on the Options Appraisal Working Group support this option on the understanding that an additional £3.5m is found before 2010 for additional improvement works to estates and that the tenants wish the Council to resource the development of tenant management.

**Reason for Decision:** To determine the viable options and most appropriate means for Harrow to deliver Decent Homes in all its rented and leasehold housing stock by the year 2010.

775. **Provisional Revenue Investment Outturn 2004-05:**  
The Director of Financial and Business Strategy introduced the report and highlighted a number of issues. She drew Members' attention to the provisional outturn position which indicated an overall underspend of £62k. She responded to questions from Members and agreed to provide further details which would provide an explanation to the drop in balances set out in table 2 of the report.
- RESOLVED:** (1) To receive the provisional 2004-05 revenue outturn;
- (2) that the carry forward of budgets from 2004-05 to 2005-06, as set out in the officer's report, be approved.
- Reason for Decision:** To enhance good governance and financial stewardship.
776. **Capital Investment Outturn 2004-05:**  
The Director of Financial and Business Strategy introduced the report and highlighted the rephrasing of projects from 2004-05 to 2005-06.
- RESOLVED:** (1) To note the level of expenditure on approved capital investment plans at the end of 2004-05;
- (2) to note the forecast level of expenditure for 2005-06 and future years, and the current resources position.
- Reason for Decision:** To update the programme for 2005-06 and future years.
777. **Key Decision: Best Value Performance Plan 2005/06:**  
The Chief Executive took this opportunity to inform Members that approval for a Local Area Agreement (LAA) had now been received and that this represented excellent news for the Council. She added that the money would allow the Council to develop and deliver the LAA. She said that the award of LAA demonstrated that the Government Office for London (GoL) recognised that the Council had excellent prospects of improvement and the capacity to manage the demands of the LAA. This reflected well on the changes that the Council had made.
- The Executive Director (Organisational Development) introduced the report and highlighted the significant improvements in a number of areas from the previous year. She made particular reference to the booklet entitled Harrow – Corporate Plan 2005/06 and the revised appendix circulated to Members which showed the Council's improved performance.
- Members noted that the Audit Commission was committed to reducing the number of indicators and that it would be producing a further consultation document. The Executive Director (Organisational Development) undertook to reflect Members' comments about the number and relevance of certain indicators when the consultation document was issued.
- The Executive Director (Business Connections) undertook to provide a written response to questions on landfill tax, the Council Tax collection rate and collection of rent for Council dwellings. He reported that, in respect of the Council Tax collection rate, Harrow Council was still the third best performing Council amongst the London boroughs in collecting its Council Tax.
- The Portfolio Holder for Education and Lifelong Learning and the Executive Director (People First) responded to a number of questions from a Member relating to performance in schools.
- RESOLVED:** To approve the performance information and additional wording now submitted for publication by 30 June 2005 in completion of the Council's Best Value Performance Plan 2005/06.
- Reason for Decision:** To achieve publication of the Best Value Performance Plan.
778. **Distribution of Funds Raised for Tsunami Disaster Relief:**  
The Executive Director (Organisational Development) introduced the amended report which had been tabled at the meeting. She stated that the report circulated with the agenda had a typographical error.
- The Executive Director (Organisational Development) reported that the public had donated approximately £16K and that Harrow Council staff had donated £3.5K towards the Tsunami Disaster Relief set up by the Council.

The Leader of the Council thanked members of the public and Council staff for their generous contributions and for supporting the fund set up by the Council. He also commended the work of the Deputy Leader of the Council and Councillor Idaikkadar.

The Leader of the Conservative Group drew Members' attention to the issue of taxation which governments affected by the Tsunami were levying on funds received, and moved an amendment which was seconded by the Deputy Leader of the Council.

**RESOLVED:** (1) To remit the Harrow Tsunami Relief Steering Group with responsibility for the placement of funds raised locally for the Tsunami disaster relief;

(2) that no donation be made in a form which will incur tax.

**Reason for Decision:** To ensure the effective distribution of funds raised locally with due regard to probity and transparency.

779. **Reference from Audit Committee on Member Training:**

The Director of Financial and Business Strategy introduced the report and also referred to the reference from the Audit Committee meeting held on 10 May 2005.

Members were in agreement that whilst training should be available to all Members of the Council, it need not be mandatory except in respect of quasi-judicial bodies such as the Development Control Committee and the Licensing Panel. A Member pointed out that it was also essential for officers to present reports in lay person language and that this would become even more challenging following the May 2006 local elections which might bring in new Councillors.

The Portfolio Holder for Communications, Partnership and Human Resources, in her capacity as a Member of the Member Development Panel, explained why it would be difficult to make training compulsory. She informed Members that the Panel would be preparing a full programme of training for Members.

**RESOLVED:** (1) To note the reference from the Audit Committee;

(2) that the reference be submitted to the Member Development Panel for consideration.

**Reason for Decision:** To improve governance arrangements.

780. **Key Decision - Harrow Transport Spending Plan:**

The Director of Strategy (Urban Living) introduced the report and responded to questions from Members. She agreed to provide a definition of what constituted a 'minor' change to the bid.

The Portfolio Holder for Environment and Transport thanked staff for producing a comprehensive bid and commended the bid to Cabinet. The Portfolio Holder for Planning, Development and Housing clarified that this was a bid to the Transport for London (TfL) and did not constitute an approval to start work on site as he did not agree with some of the schemes included in the report. Following a short discussion during which an amendment was moved, it was

**RESOLVED:** (1) To agree the bid set out at Appendices 1 and 2 to the officer report as the basis for Harrow's 2006/07 – 2009/10 spending plan submission to Transport for London (TfL);

(2) to delegate authority to the Area Director (Urban Living) to make minor changes in consultation with the Portfolio Holder for Environment and Transport;

(3) that all political groups be provided with a definition of what constituted a 'minor' change as set out in Resolution (2) above.

**Reason for Decision:** To submit the bid to the Council's Transport Board Spending Plan (BSP) by 22 July 2005.

781. **Breakspear Crematorium:**

An officer introduced the report and highlighted a number of issues. He drew particular attention to the potential risks set out in the report and its implications for Harrow Council. The officer responded to questions from Members on the way forward should a gap in funding arise.

The Leader of the Conservative Group suggested that 24/7 working might not be appropriate and would impact on residents living in the area. He suggested that 16/7 working might be more appropriate.

The Leader of the Council welcomed the report and stated that the provision of a multi-use hall with associated increase in car parking capacity would help to meet the needs of Harrow's diverse communities.

**RESOLVED:** (1) That the progress made in service delivery in the first year of the development plan be noted;

(2) that the work/negotiations in terms of the viability and construction of a multi-purpose hall be noted;

(3) that the amended timescale for delivery of key development be approved.

**Reason for Decision:** To enable development of the partnership between Harrow and Hillingdon and to meet the needs of their diverse communities.

782. **Key Decision - Local Development Scheme:**

The Director of Strategy (Urban Living) introduced the report:

She reported that the penultimate paragraph of Section 2.1 included reference to slippage in the timetable for the Statement of Community Involvement. She added that, following that discussions with the Government Office for London (GOL) on available resources to deliver all the documents in the Local Development Scheme (LDS), together with the delay in recruiting temporary support for the production of the Affordable Housing Supplementary Planning Document, a re-assessment had been undertaken of the work involved and of the timetable for this document. In order to meet appropriate deadlines, she suggested that the timetable be put back by three months. She informed Members that GOL had accepted this as a way forward.

She tabled additional amendments to the LDS in the terms set out below for inclusion with the other amendments set out in the Appendix to the officer's report:-

Page 34 – LDD 9: Affordable Housing – timetable dates amended as follows:-

Key milestones	July – Aug '05	Oct – Nov '05
• Early community engagement	July – Aug '05	Oct – Nov '05
• Formal statutory consultation on draft SPD	Jan – Feb '06	Apr – May '06
• Estimate date for adoption	May '05	July '06

Page 22 – Appendix 1 – Programme Management Table 1 to be amended to reflect the above changes.

**RESOLVED:** (1) To confirm the revised content of the Local Development Scheme (LDS), as set out in the Appendix to the officer's report and amended above, following further discussion with the Government Office for London (GOL) after their consideration of the Scheme agreed by Cabinet;

(2) to bring the LDS into effect in Harrow.

**Reason for Decision:** To allow work on the Scheme to progress.

783. **Urgent Item - Grants Advisory Panel - Membership:**

**RESOLVED:** To appoint Councillor Omar as First Reserve for the Major Minority Group on the Grants Advisory Panel.

784. **Camrose Avenue Playing Fields:**

Members considered a confidential report from the Director of Strategy (Urban Living) on the Camrose Avenue Playing Fields. An amendment was moved and it was

**RESOLVED:** (1) That the acquisition of Camrose Avenue Playing Fields from the London Borough of Camden, on terms provisionally agreed and detailed in the officer's report, be authorised;



(2) to approve a transfer of £200k from the Regeneration budget in the Capital Programme to allow for the acquisition to proceed.

**Reason for Decision:** To ensure continued provision of playing fields and the protection and control of public open space.

785. **Business Transformation Partnership:**

Members considered a confidential report from the Executive Director (Business Connections) on the Business Transformation Partnership. The Leader of the Conservative Group congratulated the Portfolio Holder for Business Connections and Performance and other Members and officers for their hard work on this project.

**RESOLVED:** (1) That the decision on the appointment of a preferred supplier be delegated to the Business Connections and Performance Portfolio Holder following consultation with the ICT Members' Group;

(2) to delegate to the Director of Legal Services, in consultation with the Chief Finance Officer, the power to sign off the Certificate of Protection;

(3) to note that four weeks has been scheduled as the time necessary to reach authorisation of the contract stage from the decision referred to in Resolution (1) above, which will be too late for the July Cabinet, and that this is a key decision and that a Special meeting of Cabinet is likely to be needed if delays are to be avoided.

**Reason for Decision:** To allow the procurement of a strategic business partner to progress in line with an accelerated procurement timetable.

786. **Nick Bell - Executive Director (Business Connections):**

The Leader of the Council informed Members that this was Nick Bell's last Cabinet meeting whilst in the employ of Harrow Council. On behalf of the Council, he thanked Nick for the tremendous work he had done for Harrow Council and expressed his deepest gratitude for helping to ensure that the Council was on a sound financial footing. The Leader of the Council also thanked Nick for the way in which he had interacted with Members of the Council and wished him well in his new job.

The Leader of the Conservative Group joined in this tribute and thanked Nick for making Local Government Finance easier to understand. Councillor Thornton, on behalf of the Liberal Democrat Group, thanked Nick for all his hard work for the Council.

Nick Bell thanked Members for their good wishes and kind words. He added that he would miss Harrow Council but that he was looking forward to new challenges. He felt that he was leaving Harrow Council in a strong position and was confident that the Council would go from strength to strength.

787. **Extension and Termination of the Meeting:**

In accordance with the provisions of Executive Procedure Rule 2.2 (Part 4D of the Constitution) it was

**RESOLVED:** (1) At 10.00 pm to continue the meeting until 10.15 pm;

(2) at 10.15 pm to continue the meeting until 10.30 pm.

(Note: The meeting, having commenced at 7.30 pm, closed at 10.30 pm).

(Signed) COUNCILLOR NAVIN SHAH  
Chair