
REPORT OF CABINET

MEETING HELD ON 6 APRIL 2006

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

[Note: The following Councillors also attended this meeting to speak on the items indicated: Councillor Arnold – Minute 963, Councillor Blann – Minute 964 and Councillor Jean Lammiman – Minutes 965 and 966].

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES**957. **Declarations of Interest:**

RESOLVED: To note that the following interests were declared:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
5. Public Questions	Councillor Jean Lammiman	The Member declared, during the course of the meeting, an interest in that she was a prospective candidate for Hatch End Ward at the forthcoming Local Government Elections in May 2006.
9/17. Harrow on the Hill Station – Progress with Development Partners	Councillor Bill Stephenson	The Member declared an interest in that he was a governor of Harrow College. He would remain in the room whilst the matter was considered and voted upon.

958. **Minutes:**

RESOLVED: That the Chair be given authority to sign the minutes of the meeting held on 16 March 2006, those minutes having been circulated, as a correct record, once printed in the Council Bound Volume.

959. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the Local Government (Access to Information) Act 1985, the following agenda items be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-

<u>Agenda item</u>	<u>Special Circumstances/Grounds for Urgency</u>
14 (a). Review of Community Premises	Members were asked to consider this report, which had not been available at the time the main agenda was printed as the meeting of the Community Consultative Forum had taken place on 4 April 2006, which was after the dispatch of the main agenda. Members were asked to consider this item as a matter of urgency.

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| 19. | Determination of Admission Arrangements for a new combined Pinner Wood School | This report was not available at the time the agenda was printed and circulated as the statutory notices were published in March 2006. Members were requested to consider this item, as a matter of urgency in order to allow the new school to open in September 2006 as required by the schools development plan. |
| 20. | Council Insurance Renewals 2006 | This report was not available at the time the agenda was printed and circulated as issues relating to a decision taken came to light after the agenda had been circulated. Members were requested to consider this item, as a matter of urgency, in order to avail themselves of the developments in this matter. |

(2) 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>	
18.	Rayners Lane Community Sports Facility	The report contained exempt information by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) in that it contained information relating to the financial or business affairs of any particular person .
19.	Determination of Admission Arrangements for a new combined Pinner Wood School	The report contained exempt information under paragraph 5 of Part I of Schedule 12A to the Local Government Act 1972 (as amended) in that it contained information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
20.	Council Insurance Renewals 2006	The report contained exempt information under paragraphs 3 and 5 of Part I of Schedule 12A to the Local Government Act 1972 (as amended) in that it contained information relating to the financial or business affairs of a particular person (including the authority holding that information) and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

[Note: During the course of the meeting, the Chair varied the order of business to take agenda item 14(a) - Review of Community Premises, before agenda item 13 - Public Realm Infrastructure Services].

960. **Petitions:**

RESOLVED: To note that no petitions had been received.

961. **Public Questions:**

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

1.

Questioner: Mr Jeremy Zeid, 94 Brampton Grove, Kenton, Harrow, Middx HA3 8LF

Asked of: Councillor Marie-Louise Nolan, Portfolio Holder for Communication, Partnership and Human Resources

Question: "How many and which organisations for the disabled (physical/mental), women, sight/hearing impaired or the elderly have been adversely affected by removal of or reductions in their grants for the next financial year?"

2.

Questioner: Mr Pravin Seedher, 53 Hawthorn Drive, Harrow, Middx

Asked of: Councillor Phil O'Dell, Portfolio Holder for Environment and Transport

Question "When this Council met with TFL 3 years ago to discuss congestion zones Steve McEvoy was quoted (H Times 12th March 03) as saying: "We are aware of the congestion around central Harrow, South Harrow, Northolt Road and Harrow-on-the-Hill, and are exploring different kinds of traffic management to resolve those problems." How has this Council dealt with congestion around central Harrow, South Harrow, Northolt Road and Harrow-on-the-Hill – and has the congestion been eliminated?"

3.

Questioner: Barry Macleod-Cullinane, 14 Torrington Drive, Harrow, HA2 8NF

Asked of: Councillor Phil O'Dell, Portfolio Holder for Environment and Transport

Question: "Could the Portfolio Holder please explain why cuts have been made in the street cleaning component of the New Harrow Project, even before the roll-out to all the wards was completed, and apologise to residents for their having to pay for a service that they didn't receive and what does this say about the costings of the New Harrow Project and his Department's financial planning?"

4.

Questioner: Tom Weiss, 50 Lowick Road, Harrow HA1 1UW

Asked of: Councillor Navin Shah, Leader of the Council

Question: "How many "Executive Actions" on a month-by-month basis

a) Have been enacted since Jan 1st 2006-04-03 [sic]

b) Are "in the pipeline", and

c) Are proposed for the post election period.

What are the assumed costs of each as well as the project grand total, and how does this compare with the same period last year?"

5.

Questioner: William Phillips

Asked of: Councillor Keith Burchell, Portfolio Holder for Planning, Development and Housing

Question: "What do you think of Harrow Council Tax Campaign's claim to be a non-political organization?"

[Notes: (i) The Chair indicated that question 5 above had been received late and not been submitted in accordance with Executive Procedure Rule 15.3. Cabinet agreed to receive the question;

(ii) an oral answer was provided to questions 1, 3, 4 and 5. Under the provisions of Executive Procedure Rule 15.4 questioners 1, 3, 4 and 5 asked supplementary questions which were additionally answered. The Chair indicated that a written response would be provided to questioner 1 on the supplemental question asked. It was noted that questioner 2 was not present at the meeting].

962. **Forward Plan 1 April - 31 July 2006:**

RESOLVED: To note the contents of the Forward Plan for the period 1 April – 31 July 2006.

963. **Public Green Spaces Review:**

The Cabinet received a report of the Director of People, Performance and Policy on the review of Public Green Spaces which was carried out under the auspices of the Environment and Economy Sub-Committee.

A Member, in his capacity as Chair of the Public Green Spaces Review Group, addressed the meeting and briefed the Cabinet on the key findings of the Review Group. The Member highlighted some of the key priorities set out in the Review and commended the report to the Cabinet. The Cabinet thanked the Chair of the Review Group for the report.

In response to a question, the Executive Director (Urban Living) stated that he would report back to the Cabinet and the appropriate Scrutiny Committee at a future date once the findings of the Review Group had been considered jointly with the other Directorates. The Executive Director added that some of the recommendations set out in the report of the Review Group would have resource implications and that these would need to be identified.

RESOLVED: That the report be noted and the proposed recommendations be endorsed.

Reason for Decision: To compliment and build upon the engaging strategic development plans and deliver improvements.

964. **Tourism Review:**

The Cabinet received a report of the Director of People, Performance and Policy on the review of Tourism which was carried out under the auspices of the Environment and Economy Sub-Committee.

A Member, in his capacity as Chair of the Tourism Review Group, commended the report of the Review Group to the Cabinet. He was pleased that funding for the post of the Tourism Officer had already been identified as this was vital to the implementation of the recommendations of the Review Group.

Members of the Cabinet welcomed the report of the Review Group and noted that some of the recommendations would have resource implications. In response to a question from a Member, the Director of Strategic Planning agreed to provide details of the costs associated with providing a Tourist Information Centre.

RESOLVED: That the report be noted and the proposed recommendations be endorsed.

Reason for Decision: To further enhance Harrow's attractiveness as a tourist destination.

965. **Reducing Fear of Crime:**

Members considered the report of the Executive Director (Urban Living) which set out the recommendations of the Scrutiny Review of Fear of Crime. An officer reported that a quality of life survey conducted by MORI in June 2005 showed that fear of crime was exceptionally high in Harrow despite the fact that Harrow was one of the safest boroughs in London. He added that there was a clear gap between reality and perception and that this was a recognised phenomenon.

The Cabinet was informed that fear of crime was a corporate priority for the Council, because of its impact on the residents of Harrow. Members noted that the Scrutiny Review of Fear of Crime had been conducted in recognition of this.

Members of the Cabinet commended the report and agreed that addressing fear of crime would be a challenge for the Council. Members thanked officers and Members of the Review Group for an excellent report.

RESOLVED: That (1) the recommendations of the Scrutiny Review of Fear of Crime be endorsed, subject to the commentary made in section 2.1.7 of the officer report;

(2) a detailed report be submitted to the Strengthening Communities Scrutiny Sub-Committee, indicating how the recommendations will be implemented following full consideration by the Safer Harrow Management Group;

(3) progress reporting and performance monitoring be undertaken through the Strengthening Communities Scrutiny Sub-Committee in their performance management role for the Crime and Disorder Reduction Strategy.

Reason for Decision: To address the key corporate and partner agency priority of Fear of Crime.

966. **Scrutiny Review of Middle Management Review (MMR):**

The Director of People, Performance and Policy introduced the report, which was considered under both the public and private sessions of the meeting, together with the report of the Scrutiny Review Group on the MMR. The report considered the findings and recommendations of the Scrutiny Review of Middle Management Review (MMR) and set out actions which had already been taken or planned, and areas where the recommendations of the Review Group could not be accepted.

The Chair of the Overview and Scrutiny Committee, also speaking in her capacity as the Vice-Chair of the Review Group, stated that:-

- the review had undertaken its own evidence to ascertain the impact on staff who had been through the MMR process;
- the response received from staff was high and the evidence had shown that the process appeared to be flawed;
- the implementation of the recommendations of the Review Group would be monitored and a separate Value for Money review would also be conducted by the Overview and Scrutiny Committee.

She thanked all those who had participated in the scrutiny review.

A Member stated that the Review Group should have been given an opportunity to comment on areas where the findings and recommendations were recommended to be rejected. He added that Cabinet ought to endorse the findings of the Review Group.

The Portfolio Holder for Communications, Partnership and Human Resources paid tribute to the work carried out by the Review Group. She acknowledged that whilst some staff had found the MMR process positive, it had been painful, and stated that Members had taken on board some of the lessons learnt from this review that were being applied to the Business Transformation Partnership (BTP).

Following further discussion in the private session of the meeting, it was

RESOLVED: That (1) the impact that the MMR process has had on middle managers in the Council be acknowledged and that these managers be thanked for their continued commitment and professionalism during the review;

(2) the action already being taken which responded to the recommendations made by the Review be endorsed;

(3) the further actions suggested in the report be noted;

(4) recommendations 4, 5, 6, 9 and 10, as set out in the report of the Review Group, be used to guide the future Management of Change in the organisation.

Reasons for Decision: To ensure that the learning from the MMR process had been taken on board.

967. **Key Decision - Harrow Olympics Task Force:**

The Executive Director (People First) introduced the report which outlined the structure of the Harrow Olympics Task Force, its terms of reference and suggestions for a range of partners who could be invited to join the Task Force. The Executive Director added that it was also intended to establish two separate sub-groups of the Task Force.

Members were in agreement that there should be cross-party representation on the Task Force and noted that this Group would become operational in Summer 2006. It was noted that Members would be nominated by their respective parties on the Harrow Olympics Task Force at that time.

RESOLVED: That (1) the plans for establishing a Harrow Olympics Task Force be approved;

(2) Members be nominated to serve on the Task Force in Summer 2006.

Reason for Decision: To facilitate input into the terms of reference and structure of the Harrow Olympics Task Force. To work towards the 2012 Olympics which would link in with the Council's corporate priorities.

968. **Harrow on the Hill Station - Progress with Development Partners:**
The Cabinet considered a report of the Director of Strategic Planning together with a recommendation from the Town Centre Project Panel asking Members to extend the period of negotiations with potential developers for Harrow on the Hill Station for a further three months.
- RESOLVED:** To work with the developers for a further period of three months prior to considering entering into an exclusive agreement.
- Reason for Decision:** To provide more time to bring forward proposals for the comprehensive development of the Harrow on the Hill site consistent with the adopted planning brief. To enable potential development partners to finalise comprehensive proposals for the Harrow on the Hill site and to assess their viability, consistent with the adopted planning brief for the site.
969. **Internal Audit Work Plans 2006/07 - 2008/09:**
An officer introduced the report which set out the proposed internal audit plans for the next three financial years, and briefed Members on the comments made by the Council's Audit Committee upon the plans. The Portfolio Holder for Business Connections and Performance agreed with the comments made by the Audit Committee that there was a need to strengthen the Council's internal audit function.
- RESOLVED:** That the internal audit plans for 2006/07 to 2008/09 be endorsed.
- Reason for Decision:** To ensure clarity about internal audit work activity and focus.
970. **Key Decision - Determination of Admission Arrangements for the 2007/2008 Academic Year:**
The Executive Director (People First) introduced the report on admission arrangements for Harrow's community primary and high schools for 2007/08 academic year. She added that detailed consultations had been carried out on this matter and explained the statutory requirements under the Schools Standards and Framework Act 1988.
- RESOLVED:** That (1) the admission arrangements to apply to Harrow community primary and high schools for the 2007/08 academic year, as set out in Appendix 1 to the officer report, taking into account the recommendations of the Harrow Admissions Forum set out below, be agreed:-
- to change the sibling link so that it applies to brothers/sisters living at the same address who would be attending the school at the same time;
 - to reduce the Planned Admissions Number for Little Stanmore First and Middle School be reduced from 45 to 30;
- (2) the schemes of co-ordination for Primary, 11+ and 12+ for the 2007-8 academic year, as set out in Appendix 2 to the officer report, be agreed;
- (3) a further one year extension of the single intake to reception pilot be agreed;
- (4) the process for evaluation of the impact of single intake to reception, as set out in Appendix 3 of the officer report, be agreed.
- Reason for Decision:** To adhere to a statutory requirement under the School Standards and Framework Act 1988 for admission authorities to determine admission arrangements by 15 April in the determination year (ie by 15 April 2006). To be in a position to publish details of admission arrangements as required by regulations made under Section 92 of the 1988 Act.
971. **Key Decision - Housing Advice Centre:**
The Executive Director (Urban Living) introduced the report which sought to extend the current contract between the Council and the Citizens Advice Bureau (CAB) to provide a free and independent housing advice service for Harrow. He added that whilst the Council needed to regularise its arrangements with the CAB, this course of action ought to be delayed in order to allow the Council to concentrate its resources elsewhere.
- The Executive Director responded to a number of questions from Members who commended the excellent service provided by the CAB.
- RESOLVED:** That (1) the current 3 year Tendered Partnership Contract between the Council and the Citizens Advice Bureau (CAB) to provide a free and independent

housing advice service for Harrow be extended without proceeding to tender service until 31 March 2008;

(2) the variation to the current waiver of Contract Procedure Rule(s) (CPR) (WA364) signed September 2005 be agreed;

(3) it be noted that a waiver to CPR will be required post August 2006.

Reason for Decision: The existing Tendered Partnership Contract ended on the 1 August 2005. To ensure that arrangements were in place for the CAB to continue to provide a free and independent housing advice service for Harrow.

972. **Urgent Item - Review of Community Premises:**

RESOLVED: To note the comments of the Community Consultative Forum detailed in the officer report.

973. **Key Decision - Public Realm Infrastructure Services:**

Members received a presentation from David Virden, the Managing Director of Accord MP, during the public session of the meeting. Mr Virden described his company's vision and how it would deliver the contract on the Council's Public Realm. The Chair thanked Mr Virden for his presentation.

The Executive Director (Urban Living) informed Members that independent auditors had been appointed to review the costs tendered. The Executive Director responded to questions from Members and informed them that he was satisfied that where any such rights existed by means of the TUPE regulation, staff who might be transferred to Accord MP would be able to retain their negotiating rights. Mr Virden confirmed this.

The Cabinet agreed the recommendations set out in the report of the Executive Director and discussed some aspects of the contract in the private session of the meeting.

The Chair thanked the Executive Director (Urban Living) and staff in the Council's Public Realm Infrastructure Group for their work in bringing this major project to fruition.

RESOLVED: That (1) the Council enter a partnership contract with Accord MP for delivery of the Council's Public Realm, professional services and works services;

(2) the other tenderers be formally notified of the above decision;

(3) it be noted that there will be a ten day cooling off period following this decision before the agreements are formally signed and agreed;

(4) the Director of Legal Services be authorised to sign the contracts on behalf of the Council;

(5) it be noted that ongoing management of the partnership is delegated under existing authorities to the Executive Director (Urban Living).

Reason for Decision: To obtain approval to enter into a long term partnership for an initial five years with extensions up to seven years, depending on performance.

974. **Rayners Lane - Community Sports Facility:**

Members considered a confidential report of the Director of Lifelong Learning and Cultural Services.

RESOLVED: That the Cabinet (1) authorises/delegates power to the Director of Lifelong Learning and Cultural Services in consultation with the relevant Portfolio Holder to agree the detailed terms of a Community Use Agreement with Warden Housing;

(2) authorises/delegates power to the Director of Legal Services to sign in reliance on all statutory powers necessary to protect the Council's interests in the final Agreement;

(3) approves the carry forward of this unspent balance of £330,000 from the financial year 2005/06 to 2006/07 as the cost cannot be accommodated within the 2006/07 budget.

Reason for Decision: The Community Use Agreement will ensure fair and equal access to the new facilities to all the Council's residents in perpetuity. The new facilities will contribute towards achieving the Council's corporate priorities.

975. **Urgent Item - Determination of Admission Arrangements for a new combined Pinner Wood School:**

Members considered a confidential report of the Executive Director (People First).

RESOLVED: (1) To agree in principle the admission arrangements to apply to the proposed new combined Pinner Wood First and Middle School for 2006/2007 academic year and for 2007/2008 academic year;

(2) to authorise the Portfolio Holder for Education and Lifelong Learning, following determination of the statutory notices to create the new school, to determine the admission arrangements for the new Pinner Wood school for 2006/2007 academic year and for 2007/2008 academic year.

Reason for Decision: Determination of the Planned Admission Number for the new school will enable the development planning for the new school to proceed.

976. **Urgent Item - Council Insurance Renewals 2006:**

Members considered a confidential report of the Director of Financial and Business Strategy.

RESOLVED: To note the current position in respect of the Council's insurance tender.

Reason for Decision: To note developments in procuring insurance arrangements.

977. **Vote of Thanks:**

This being the last Cabinet meeting before the Local Government Elections in May 2006, the Chair thanked Members of Cabinet for their dedication, co-operation and consensual working which he considered to be a strength of Harrow Council. He took this opportunity to thank Members who were not standing for re-election for their work and wished them well for the future. Councillors Burchell, Marie-Louise Nolan and Thornton also thanked Members and staff for their support.

On behalf of the Cabinet, the Chair offered special thanks to the Chief Executive, the Director of Corporate Governance and his staff, and the Democratic Services staff for their support and guidance at meetings. In particular he wished the Chief Executive a speedy recovery.

The Chair also thanked members of the local press for reporting on the work of the Cabinet.

(Note: The meeting, having commenced at 7.30 pm, closed at 10.00 pm).

(Signed) COUNCILLOR NAVIN SHAH
Chair