

2005 - 2006

**HARROW COUNCIL  
COUNCIL SUMMONS**

**MEETING  
Thursday 27 April 2006**





## COUNCIL SUMMONS

Chief Executive's Directorate

Civic Centre

Harrow

19 April 2006

Dear Member

I hereby request and summon you to attend a **MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF HARROW** to be held in the **COUNCIL CHAMBER** at the **CIVIC CENTRE, STATION ROAD, HARROW, on Thursday, 27th day of April 2006 at 7.30 pm** to take into consideration the following numbered matters and to pass such resolutions and to make such orders thereon as may then be determined.

### PRAYERS

The Mayor's Chaplain, the Reverend Terence H. MacMath, will open the meeting with Prayers.

**1. COUNCIL MINUTES: (Pages 1 - 12)**

That the minutes of the Council Meeting held on 23 February 2006, having been circulated, be taken as read and signed as a correct record.

[Notes: (i) The 23 February 2006 Council minutes have been circulated previously within Volume 9 of the Cabinet and Council Minutes (2005/06);

(ii) those minutes are also now enclosed with the Summons for ease of reference].

**2. DECLARATIONS OF INTEREST:**

To receive declarations of personal or prejudicial interests, arising from business to be transacted at this meeting, from all Members present [in any part of the Chamber].

**3. MAYOR'S ANNOUNCEMENTS:**

To receive any announcements from the Mayor.

[Note: Information as to recent Mayoral engagements will be tabled].

**4. PROCEDURAL MOTIONS:**

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

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

**5. PETITIONS:**

To receive petitions (if any) submitted in accordance with Council Procedure Rule 11 and presented:-

- (i) by a representative of the petitioners;
- (ii) by a Councillor, on behalf of petitioners; or
- (iii) by the Director of Corporate Governance, on behalf of petitioners.

Notice has been received of a Petition relating to the Harrow War Memorial to be submitted by Mr J Lawrence.

**6. PUBLIC QUESTIONS:**

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

[Note: Confirmation of any such questions will be tabled].

7. **CHILDREN AND YOUNG PEOPLE'S PLAN 2006-2009:** (Pages 13 - 16)

RECOMMENDATION I: CABINET (16 MARCH 2006)

8. **TRANSPORT LOCAL IMPLEMENTATION PLAN (LIP):** (Pages 17 - 18)

RECOMMENDATION II: CABINET (16 MARCH 2006)

9. **RECOMMENDED CONSTITUTIONAL CHANGES:** (Pages 19 - 58)

To receive the Recommendations of the Constitution Review Working Group meeting held on 5 April 2006.

10. **DECLARATION OF INTERESTS:** (Pages 59 - 62)

RECOMMENDATION I: STANDARDS COMMITTEE  
(17 NOVEMBER 2005)

11. **MANDATORY TRAINING FOR MEMBERS:** (Pages 63 - 64)

RECOMMENDATION I: STANDARDS COMMITTEE (27 MARCH  
2006)

12. **OVERVIEW AND SCRUTINY COMMITTEE ANNUAL REPORT:** (Pages 65 - 122)

RECOMMENDATION I: OVERVIEW AND SCRUTINY COMMITTEE  
(27 MARCH 2006)

13. **QUESTIONS WITH NOTICE (Council Procedure Rule 13):**

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

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

[Note: Confirmation of any such questions will be tabled].

14. **HONORARY ALDERMEN:** (Pages 123 - 128)

Report of the Chief Executive.

15. **DECISIONS TAKEN UNDER THE URGENCY PROCEDURE AND USE OF THE SPECIAL URGENCY PROCEDURE:** (Pages 129 - 138)

In accordance with Overview and Scrutiny Procedure Rule 23.6 and Access to Information Rule 17.3, as set out in Part 4 of the Constitution, it is a requirement to report on urgent decisions taken by Portfolio Holders, the

Leader and the Cabinet, and on decisions taken by Cabinet under the special urgency procedure, since the previous Council meeting.

Those requirements are met in the attached paper from the Director of Corporate Governance.

**16. TRIBUTES TO RETIRING MEMBERS:** (Pages 139 - 142)

This being the final Council Meeting of the Municipal Year, it is traditional to recognise and pay tribute to the service of those Councillors who are not contesting the forthcoming Borough Elections on 4 May and will accordingly be retiring at the end of the life of the current Council.

A list of Members who are retiring is attached.

**(NOTE:** There are no Motions submitted by Members of Council in accordance with the provisions of Council Procedure Rule 15.1 for consideration at this Council Meeting).

Yours sincerely

A handwritten signature in black ink, appearing to read "L. Kelly", is written on a light blue rectangular background.

for the Chief Executive

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

**ITEM 1**

**COUNCIL  
27 APRIL 2006**

**COUNCIL MINUTES  
23 FEBRUARY 2006**

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**MINUTES  
of the  
COUNCIL TAX MEETING  
of the  
COUNCIL  
of the  
LONDON BOROUGH OF HARROW  
held on  
THURSDAY 23 FEBRUARY 2006**

**Present:**           The Worshipful the Mayor (Councillor Paddy Lyne)  
                          The Deputy Mayor (Councillor Mary John)

**Councillors:**

R. Arnold  
Nana Asante  
David Ashton  
Mrs Marilyn Ashton  
Mrs Camilla Bath  
Miss C A Bednell  
F. Billson  
Alan Blann  
H. Bluston  
J. Branch  
K. Burchell  
Mrs L. Champagnie  
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  
T. Idaikkadar  
Mark Ingram  
N. Ismail  
M. Kara  
Mrs E.M. Kinnear  
M. Kinsey  
A.C. Knowles  
Jean Lammiman  
D. Lavingia  
Myra Michael  
Jerry J. Miles  
Vina Mithani  
Chris Mote  
Mrs Janet Mote  
John Nickolay

Mrs Joyce Nickolay  
Marie-Louise Nolan  
Phillip O'Dell  
A. Omar  
P. Osborn  
Anjana Patel  
A. Pinkus  
R. Ray  
Anthony Seymour  
Navin Shah  
Mrs Rajeshri Shah  
E. Silver  
Bill Stephenson  
Keekira Thammaiah  
S. Thornton  
Keith Toms  
M. Versallion  
Anne Whitehead  
G.G.V. Williams

**PRAYERS**

The meeting opened with Prayers offered by the  
Reverend Terence H. MacMath

**A      PROCEDURAL MATTERS****369.    COUNCIL MINUTES:****RESOLVED:**

**THAT THE MINUTES OF THE PREVIOUS COUNCIL MEETING HELD ON 20 OCTOBER 2005, HAVING BEEN CIRCULATED, BE TAKEN AS READ AND SIGNED AS A CORRECT RECORD.**

**370.    DECLARATIONS OF INTEREST:**

The Mayor invited appropriate declarations of interest by Members of Council, with particular reference to the Cabinet Recommendation in relation to the Revenue Budget and the setting of the Council Tax 2006/07.

Attention was drawn to the tabled document which recorded Members' interests as identified by them in advance.

A Member confirmed an additional individual interest.

**RESOLVED:**

**THAT THE DECLARATIONS OF INTEREST MADE BY MEMBERS OF COUNCIL IN RESPECT OF THE BUSINESS TO BE TRANSACTED AT THIS MEETING BE DULY RECEIVED AND RECORDED (AS SET OUT AT APPENDIX I).**

**371.    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 THE OCCASIONS ON WHICH SHE HAD BEEN REPRESENTED BY THE DEPUTY MAYOR AND A PAST MAYOR, SINCE THE PREVIOUS COUNCIL MEETING.**

**372.    NORMAN KEMBER:**

The Mayor stated that the Council's thoughts were with Mr Kember, a hostage in Iraq, and his family.

**373.    MEMBERS OF COUNCIL:**

On behalf of the Council, the Mayor congratulated Councillor Navin Shah on being nominated an Asian Achiever of the year for Public and Uniform Service by the Asian Voice.

Congratulations were offered to Councillor Clive Harriss following the birth of his daughter.

On behalf of the Council, the Mayor extended best wishes to Councillor Richard Romain following his recent accident.

On behalf of the Council, the Mayor extended condolences to Councillor Adam Lent due to a bereavement in the family.

**374.    QUEEN'S NEW YEAR'S HONOURS LIST:**

The following Harrow residents received awards in the Queen's New Year's Honours List:

Mrs Rekha Bhakro	Commander of the British Empire
Ms Christine Gilbert (former Director of Education, Harrow)	Commander of the British Empire
Dr Peter Carter	Officer of the British Empire
Mrs Yvonne Moran	Officer of the British Empire
Commander Chris Allison	Member of the British Empire
Mrs Kay Comfort	Member of the British Empire
Mrs Jatinder Thind	Member of the British Empire
Mr Clifford Lewis Woods	Member of the British Empire

**375. PROCEDURAL MOTIONS UNDER COUNCIL PROCEDURAL RULE 26.1:**

The Leader of the Labour Group, Councillor N Shah, moved and the Leader of the Conservative Group, Councillor C Mote, seconded a procedural motion under the general provisions of Rule 26.1 that, in line with the practice in previous years, the rules of debate be varied to reflect the importance of the Revenue Budget as a subject matter. A note reflecting the consensus among the political groups on the procedures which would apply for the purposes of the revenue budget debate had been tabled.

The proposal received the general assent of the Council.

**RESOLVED:**

**THAT THE PARTIAL SUSPENSION OF THE RELEVANT COUNCIL PROCEDURE RULES REGARDING THE MOVING OF A RECOMMENDATION FROM THE EXECUTIVE AND THE RULES OF DEBATE (INCLUDING EXTENDED TIME FOR OPENING SPEECHES BY ALL THREE GROUPS) AS SET OUT IN THE TABLED NOTE, BE APPROVED FOR THE PURPOSES OF THE REVENUE BUDGET DEBATE.**

**B PUBLIC REPRESENTATIONS****376. PETITIONS:**

The following petitions were submitted by Members of Council:

- (1) Submitted by Councillor Anjana Patel, containing 40 signatures of local residents, requiring that relevant bodies investigate suspicious activities in an area of West Harrow which petition stood referred to the Executive.

[Notes: (i) The petition stood referred to the Executive;

(ii) the petition had also been submitted to other organisations].

- (2) Submitted by Councillor Mrs L Champagnie, containing 352 signatures of local residents, requesting the Council to extend the CCTV surveillance to include West House, Pinner Memorial Park, Pinner.

[Note: The petition stood referred to the Executive].

- (3) Submitted by Councillor Mrs E M Kinnear, containing 23 signatures of Councillors and local residents as follows:

“Given that the fear for personal safety can often be a major factor in people choosing not to use public transport at unsocial hours, this Council welcomes the announcement by Chiltern Railways that it intends to staff certain stations until the last train has run and hopes that other operators will do likewise”.

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

**377. PUBLIC QUESTIONS:**

Further to Item 6 on the Summons, the following six questions were submitted by members of the public, in accordance with Council Procedure Rule 12.3:

<u>QUESTION BY</u>	<u>QUESTION OF</u>	<u>TEXT OF QUESTION</u>
(1) Ms Sonia Howell-Jones	The Deputy Leader, Business Connections and Performance Portfolio Holder (Councillor Dighé)	“At the recent public meeting with HCTC, Sanjay Dighé said it cost £500,000 a year to keep one child in a special needs school. My question is how much does it cost to keep an elderly person in a Council care home? And how much if that elderly person suffers from Alzheimer’s or any other disabling illness?”

- |                                |  |  |
|--------------------------------|--|--|
| (2) Mr J Zeid                  | The Deputy Leader,<br>Business Connections and<br>Performance Portfolio<br>Holder (Councillor Dighé) | “In view of the unstable nature of Harrow’s budget and balances and the apparent lack of assumption that this year’s government settlement was likely to be less than generous; What controls were put and are in place to keep spending under tight control to avoid overstretching balances, relying on over-optimistic forecasts (such as equipment and service procurement) and the spectre of raising Council Taxes to residents, from an already high base level?”   |
| (3) Mr D Grange                | The Leader of the Council<br>(Councillor N Shah)   | “How many and what senior posts are to be relinquished and what actual savings will be made? Since it’s presumed, pensioners not having their rise, Councillors also will be waiving theirs?”  |
| (4) Mr P Seedher               | The Deputy Leader,<br>Business Connections and<br>Performance Portfolio<br>Holder (Councillor Dighé) | <p>“Despite the investment of the 21% tax hike 3 years ago and the inflation–busting tax increases since then – Harrow residents are looking forward to inflation busting tax increases – for the foreseeable future.</p> <p>How have past windfall tax increases been invested in the Council and therefore when can we expect to see some tangible return in the form of tax increases which are under the level of RPI?”</p>  |
| (5) Mr B Macleod-<br>Cullinane | The Environment and<br>Transport Portfolio Holder<br>(Councillor O’Dell)                             | “Could the Portfolio Holder please comment on the work being undertaken at Belmont Circle, specifically when is it due for completion; the danger that the works pose to pedestrians, particularly those with children trying to cross to reach St Joseph’s Primary School; the restriction on “park and shop” parking and its likely detrimental impact on Belmont Circle shops; how much is this costing Harrow Council Taxpayers in materials as well as in officer time and is a full-cost recharge being done to TfL – including for all that costly and unsightly damage to the roundabout’s greenery; and the rationale for reducing the road width and placing the bus stop further out into the road which, like so many other schemes being implemented under his direction, is only adding to traffic congestion and impatience on Harrow’s roads?” |
| (6) Mr A Kulkarni              | The Deputy Leader,<br>Business Connections and<br>Performance Portfolio<br>Holder (Councillor Dighé) | “What has been the percentage increase in Council Tax since Labour took control of Harrow Council in May 1998 until now?”  |

[Notes: (i) The first questioner was not present at the meeting and it was agreed that a written reply be sent, with a copy to all Members of Council. The remaining questions were answered orally at the meeting;

(ii) under the provisions of Council Procedure Rule 12.4, supplementary questions were asked in respect of questions (2), (4), (5) and (6), which were also answered orally;

(iii) the relevant questioners additionally accepted the offer of written responses to questions (3), (4) and (5) above, and it was agreed that the response to question (5) be copied to all Members of Council].

## **C RECOMMENDATIONS FROM CABINET**

### **378. REVENUE BUDGET 2006/07 AND MEDIUM TERM BUDGET STRATEGY 2006/07 TO 2008/09 (INCLUDING THE HOUSING REVENUE ACCOUNT) (COUNCIL TAX RESOLUTION):**

At item 7 on the Summons, the Council received Recommendation I of the Cabinet meeting of 16 February 2006 in this matter.

The Mayor referred to an amendment tabled by the Labour Group and ensured that all Councillors and members of the public had received a copy. No other amendments had been received or tabled.

Further to the decision outlined at Resolution 372 above, the Mayor moved Recommendation I for the purposes of opening the debate. (No precedent was intended by this arrangement for this occasion).

The Mayor proceeded to make a statement. She declared that the position of the Mayor was non-political and that, in the event of the vote being tied, she would exercise her casting vote. The Mayor stated that to delay a decision on the setting of the Council Tax would be costly and that she would be voting to ensure that a lawful Council Tax was set.

The Recommendation and the amendment were debated jointly.

- (i) Councillor N Shah moved and Councillor Dighé seconded an amendment including specific proposals for the Authority's budget for 2006/07 and a revised model Council Tax resolution on the basis of these proposals, which would result in a Council Tax increase of 2.49%.
- (ii) Following a full debate, the amendment was voted upon, and was carried.
- (iii) The meeting then moved to a vote on the substantive Recommendation, as amended; this was carried and adopted.

#### **RESOLVED:**

#### **THAT THE SUBSTANTIVE RECOMMENDATION, AS AMENDED, BE ADOPTED IN THE FOLLOWING FORM:**

(1) That the 2006/07 Revenue Budget be approved to enable the Council Tax for 2006/07 to be set;

(2) that the model Council Tax resolution set out below be approved:

#### **COUNCIL TAX RESOLUTION 2006-2007**

- " (1) To note that at its meeting of the Cabinet on 12 January 2006 the Council calculated the amount of 84,326 as its Council Tax Base for the year 2006-2007 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 made under Section 33 (5) of the Local Government Finance Act 1992.
- (2) That the following amounts be now calculated by the Council for the year 2006-2007, in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:

- (i) Being the aggregate of the amounts which the Council estimates for the items set out in Section 32 (2) (a) to (e) of the Act. **(Gross expenditure)** £366,395,915
- (ii) Being the aggregate of the amounts which the Council estimates for the items set out in Section 32 (3)(a) to (c) of the Act. **(Gross income including use of reserves)** £217,810,540
- (iii) Being the amount by which the aggregate at (i) above exceeds the aggregate at (ii) above, calculated by the Council, in accordance with Section 32(4) of the Act, **as its budget requirement for the year.** £148,585,375
- (iv) Being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed non-domestic rates, revenue support grant, reduced by the amount of the sums which the Council estimates will be transferred in the year from its General Fund to its Collection Fund in accordance with Section 97(4) of the Local Government Finance Act 1988 (Collection Fund Deficit) £58,593,305
- (v) Being **the amount to be raised from Council Taxes** Calculated as the amount at 2 (iii) above less the amount at 2 (iv) above. £89,992,070
- (vi) Being the amount at (v) divided by the Council Tax Base, calculated by the Council at its meeting on 12 January 2006 in accordance with Section 33 (1) of the Act, as the basic amount of its council tax for the year. **(The average Band D Council Tax )** £1,067.19

## (vii) Valuation Bands

	A	B	C	D	E	F	G	H
£	711.46	830.04	948.61	1067.19	1304.34	1541.50	1778.65	2134.38

Being the amounts given by multiplying the amount at (vi) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

- (3) That it be noted that for 2006-2007 the Greater London Authority stated the following amount in precept issued to the Council, in accordance with section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below

Valuation Bands

	A	B	C	D	E	F	G	H
£	192.41	224.47	256.54	288.61	352.75	416.88	481.02	577.22

- (4) That, having calculated the aggregate in each case of the amounts at (2)(vii) and (3) above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2006-2007 for each of the categories of dwellings shown below

Valuation Bands

	A	B	C	D	E	F	G	H
£	903.87	1054.51	1205.15	1355.80	1657.09	1958.38	2259.67	2711.60

(3) that the new Reserves Policy be approved;

(4) that the Housing Revenue Account for 2006/07 be approved to enable rents for 2006/07 to be set;

(5) that the Members' Allowances Scheme be approved in the same form as in 2005/06, with the exception that a new Special Responsibility Allowance be paid from 1 April 2006 for the Chair of the Audit Committee.

[Notes to the Resolution: (1) The budget summary related to the Resolution is enclosed as Appendix II to these Minutes;

(2) the Members' Allowances Scheme 2006/07, as agreed, is enclosed as Appendix III to these Minutes].

[Procedural Note: At the commencement of this item further to the earlier tabling of the Labour Group amendment, the Deputy Leader of the Liberal Democrat Group, Councillor Thornton, requested an adjournment to enable Members of his Group to assimilate the document then presented. This request was agreed by the general assent of the Council and the meeting was accordingly adjourned from 8.07pm until 8.24 pm for this purpose].

**379. PROCEDURE FOR THE TERMINATION OF THE MEETING:**

At 10.30 pm, during the debate on Item 7, the Mayor moved a procedural motion under the provisions of Rule 10.2(ii) that the closure of time for the Council meeting be extended by 45 minutes from 10.30 pm to 11.15 pm to allow the debate on the Item to continue and the remaining business on the Summons to be concluded.

The proposal received the general assent of the Council.

**RESOLVED:**

**THAT UNDER THE PROVISIONS OF COUNCIL PROCEDURE RULE 10.2(ii), THE MEETING BE EXTENDED TO 11.15 PM.**

**380. TREASURY MANAGEMENT STRATEGY 2006/07 AND PRUDENTIAL INDICATORS 2006/07 TO 2008/09:**

Further to Item 8 on the Summons, the Council received Recommendation II from the Cabinet meeting of 16 February 2006 in this matter.

The Recommendation was adopted as printed.

**RESOLVED:**

**THAT (1) THE TREASURY MANAGEMENT STRATEGY FOR 2006/07 BE APPROVED (as set out in paragraphs 1-16 of the report of the Director of Financial and Business Strategy submitted to the Cabinet meeting);**

**(2) THE COUNCIL'S LENDING LIST BE APPROVED (as set out in Appendix 2 to the report of the Director of Financial and Business Strategy submitted to the Cabinet meeting);**

**(3) THE PRUDENTIAL INDICATORS FOR 2007-08 TO 2008-09 BE APPROVED (as set out in paragraphs 17-38 of the report of the Director of Financial and Business Strategy submitted to the Cabinet meeting).**

**381. ROLE OF THE BEST VALUE ADVISORY PANEL:**

Further to Item 9 on the Summons, the Council received Recommendation I from the Cabinet meeting held on 12 January 2006 in this matter.

The Recommendation was adopted as printed.

**RESOLVED:**

**THAT (1) THE RESIDUAL DUTIES OF THE BEST VALUE ADVISORY PANEL BE TRANSFERRED TO THE OVERVIEW AND SCRUTINY COMMITTEE AND ITS SUB-COMMITTEES;**

**(2) THE APPROPRIATE AMENDMENTS BE MADE TO THE COUNCIL'S CONSTITUTION.**

**D COMMITTEE RECOMMENDATION****382. STANDARDS COMMITTEE INDEPENDENT MEMBERS:**

Further to Item 10 on the Summons, the Council received Recommendation I from the Standards Committee meeting held on 6 December 2005 in this matter.

The Recommendation was adopted as printed.

**RESOLVED:**

**THAT FOUR INDEPENDENT MEMBERS BE APPOINTED TO THE STANDARDS COMMITTEE.**

**E QUESTIONS UNDER COUNCIL PROCEDURE RULE 13****383. QUESTIONS WITH NOTICE (COUNCIL PROCEDURE RULE 13.2):**

Further to Item 11 on the Summons, the following five questions had been submitted by Members of the Council, notice of which had duly been given under the provisions of Council Procedure Rule 13.2. Of these, all were answered orally with the exception of question (5) (see Notes below).

<b><u>QUESTION BY</u></b>	<b><u>QUESTION OF</u></b>	<b><u>TEXT OF QUESTION</u></b>
(1) Councillor Silver	Health and Social Care Portfolio Holder (Councillor Margaret Davine)	"In the light of the delays in the redevelopment of Northwick Park Hospital, will the Portfolio Holder seek assurances from the Strategic Health Authority that the people of Harrow will not be disadvantaged by the continuing delays?"
(2) Councillor Seymour	Communications, Partnership and Human Resources Portfolio Holder (Councillor Marie-Louise Nolan)	"What is the percentage change and numerical change in the workforce since 31 March 2002 to date and since 31 March 2005 to date?"
(3) Councillor Seymour	The Leader of the Council (Councillor N Shah)	"How much has the Council spent on external consultants since 31 March 2005 and do figures now exist for the cost of employing such consultants since 2002?"
(4) Councillor John Nickolay	Environment and Transport Portfolio Holder (Councillor O'Dell)	"The Good Going campaign promotes the benefits of walking, cycling, using public transport and car sharing in London. A recent leaflet issued by this Council claims that the Transport Research Laboratory has praised Harrow's Travel Awareness Promotion. Does this mean that after nearly seven years since it was adopted by the Council this



Labour administration is at last implementing the Green Travel Plan for the Civic Centre, meaning that Councillors and Officers of this Authority are setting an example to other employers and residents in our Borough?"

- |                             |  |  |
|-----------------------------|--|--|
| (5) Councillor Vina Mithani | The Leader of the Council<br>(Councillor N Shah) | "What is going to be done about crime in the Kenton West Ward, as this both violence against the person and theft and handling have risen between the 31 March 2004 to 31 March 2005, according to the Council's own figures?" |
|-----------------------------|--|--|

[Notes: (i) In respect of question (1) above, the Health and Social Care Portfolio Holder undertook to place the response received from the Strategic Health Authority in the public domain;

(ii) in accordance with Council Procedure Rule 13.4, it was agreed that the relevant Portfolio Holders would additionally provide a written answer to questions (2) and (3) above;

(iii) under the provisions of Council Procedure Rule 13.5, the Members submitting questions (1) to (4) above each asked a supplementary question which was also answered orally, with the exception of the supplementary question in respect of question (3), to which the Leader of the Council undertook to provide a written response;

(iv) the time allowed under Procedure Rule 13.2 expired and the fifth notified question could not be asked at Council. It was noted that a written response would be provided].

## F MOTIONS

### 384. MOTION AT ITEM 12(1) - GRANTS FUNDING 2006/07:

In acknowledging the mover and seconder of the Motion appearing at Item 12(1) of the Summons, the Leader of the Conservative Group, Councillor C Mote, following legal advice, sought leave of Council to withdraw the Motion pending the March 2006 meeting of the Grants Advisory Panel.

#### RESOLVED:

**THAT THE MOTION SET OUT AT ITEM 12(1) OF THE SUMMONS IN THE NAMES OF COUNCILLORS MRS JOYCE NICKOLAY AND MARILYN ASHTON BE WITHDRAWN FROM CONSIDERATION WITH THE CONSENT OF COUNCIL.**

### 385. MOTION AT ITEM 12(2) - ATTENDANCE AT MEETINGS OF THE AUTHORITY (SECTION 85(1) OF THE LOCAL GOVERNMENT ACT 1972): REQUEST FOR AN EXTENSION OF APPROVED ABSENCE ON BEHALF OF COUNCILLOR ROMAIN:

- (i) Councillor C Mote moved and Councillor D Ashton seconded the following Motion appearing at Item 12(2) of the Summons:

"In the eventuality that Councillor Romain were unable to be in attendance on February 23 that this Council approves under the provisions of Section 85(1) of the Local Government Act 1972 an extension of time beyond the statutory six months during which Councillor Romain may remain absent from meetings of the Authority and retain his elected office, by reason of the personal injury accident which he had suffered and which precludes him from reasonably attending Council meetings at the Civic Centre or elsewhere for the time being, and that extension of time shall run until the 8 of may 2006, and if re-elected until 1 June 2006 inclusive".

- (ii) The Motion was carried by general assent.

**RESOLVED:**

**THAT THE MOTION SET OUT AT (i) ABOVE BE ADOPTED UNANIMOUSLY.**

**G MISCELLANEOUS**

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

In accordance with the Council's Overview and Scrutiny Procedure Rules as set out in Part 4 of the Constitution, the Meeting received a report at Item 13 of the Summons regarding decisions taken as a matter of urgency by Portfolio Holders, the Leader of the Council and the Cabinet.

**RESOLVED:**

**THAT THE URGENT DECISIONS TAKEN BY PORTFOLIO HOLDERS, THE LEADER OF THE COUNCIL AND THE CABINET, AS NOW REPORTED, BE NOTED.**

**387. URGENT DECISION TAKEN ON A MATTER RESERVED TO THE COUNCIL: APPOINTMENT TO OUTSIDE BODY:**

An urgent decision on a matter reserved to Council which had, in accordance with the delegated authority granted by Resolution 34(2) (28.5.02) to effect an in-year amendment to an outside body appointment, been the subject of consultations with the Leaders of the three political groups on the Council and had been agreed on behalf of the Council, was now reported.

**RESOLVED:**

**THAT THE DECISION TAKEN UNDER DELEGATED AUTHORITY ON BEHALF OF COUNCIL AS NOW REPORTED BE NOTED.**

**(CLOSE OF MEETING:** All business having been completed, the Mayor declared the meeting closed at 11.16 pm).

## **ITEMS 7 & 8**

# **ORDINARY COUNCIL 27 APRIL 2006**

## **CABINET RECOMMENDATIONS**

- |            |                      |                 |   |
|------------|----------------------|-----------------|---|
| <b>(1)</b> | <b>16 March 2006</b> | <b>REC. I:</b>  | <b>Children and Young People's<br/>Plan 2006-2009</b> |
| <b>(2)</b> | <b>16 March 2006</b> | <b>REC. II:</b> | <b>Transport Local Implementation<br/>Plan (LIP)</b>  |

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## REPORT OF CABINET

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### MEETING HELD ON 16 MARCH 2006

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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**

##### **RECOMMENDATION I - Key Decision - Children and Young People's Plan 2006-2009**

The Executive Director (People First) introduced the report and advised that it replaced a number of statutory and non-statutory plans. The three-year Plan had required a significant level of consultation and was unusual in that it would not be assessed and did not require submission to any other body. She added that the final version of the Plan would include photographs and may contain some textual changes.

In response to a Member's question in relation to consultation with young people, the Executive Director (People First) advised that representative groups of young people had been consulted. She did acknowledge, in response to another Member's comment, that the Plan did not currently reflect Member involvement.

##### **Resolved to RECOMMEND:**

That the Children and Young People's Year Plan 2006-09 be approved.

**Reason for Recommendation:** The Children and Young People's Plan is a Statutory Plan (Children Act 2000) and replaced a number of statutory and non-statutory Plans. The Plan supported more integrated and effective services to improve outcomes for children, as set out in the Children's Act 2004, and identified where outcomes for children and young people needed to be improved and how and when these improvements would be achieved.

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**REPORT OF CABINET**

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**MEETING HELD ON 16 MARCH 2006**

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Chair: \* Councillor N Shah

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\* Margaret Davine \* Bill Stephenson  
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**PART I - RECOMMENDATIONS**

**RECOMMENDATION II - Key Decision - Transport Local Implementation Plan (LIP)**

The Executive Director (Urban Living) introduced the report, which set out the latest information on the preparation of the LIP and recommended that the final version of the document be submitted to the Mayor for London for approval.

The Executive Director (Urban Living) reported that this statutory Plan was the culmination of a year's work and extensive consultation with relevant stakeholders and groups. The feedback from the consultation was set out in the Cabinet Supporting Documents. The Executive Director (Urban Living) advised that the Plan pulled together all of the resourcing for the street scene and that it was projected that £100m would be spent over the next 5 years on this area. He added that a report would be submitted to Cabinet in April on the partnership arrangements for the delivery of the service.

The Portfolio Holder for Environment and Transport paid tribute to the work of officers and stakeholders, adding that the Plan demonstrated the Council's commitment to the public realm infrastructure.

Having noted and endorsed the changes to the LIP and delegated authority to the Portfolio Holder for the approval of any further revisions to the Plan prior to and following Council on 27 April 2006, the amendment of the list of categories of health care workers and the criteria of those eligible for healthcare parking permits, it was

**Resolved to RECOMMEND:**

That the final Transport Local Implementation Plan be approved.

**Reason for Recommendation:** The LIP is a Statutory Plan prepared under section 145 of the Greater London Authority Act 1999 ("the GLA Act"). It set out Harrow Council's proposals for implementing the Mayor for London's Transport Strategy at local level.

(See also Minute 944)

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**ITEM 9**

**ORDINARY COUNCIL  
27 APRIL 2006**

**RECOMMENDED CONSTITUTIONAL  
CHANGES**

**REPORT OF THE CONSTITUTION  
REVIEW WORKING GROUP**

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**HARROW COUNCIL**

**COUNCIL MEETING – 27 APRIL 2006**

**REPORT OF THE CONSTITUTION REVIEW WORKING GROUP**

**RECOMMENDED CONSTITUTIONAL CHANGES**

The Constitution Review Working Group is an informal body established by agreement between the Group Leaders to receive proposals for alterations and updates to the text of the Authority's Constitution (in respect of discretionary elements) for formal submission to the Council.

The Working group membership comprises Councillors Currie, Ann Groves (Chair), Osborn, Seymour and Thornton.

A Meeting further meeting of the Review Working Group was held on 5 April 2006. The decisions arising from that meeting are now attached as the Constitution Review Working Group's recommendations to Council.

Formally the **Working Group RECOMMENDS:**

"That the proposed changes to the Authority's Constitution as now endorsed by the Constitution Review Working Group, listed in the attached index and detailed in the subsequent pages of this document be approved by Council and the consequent textual and administrative amendments be delegated to the Chief Executive to implement."

**FOR DECISION**

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## COUNCIL MEETING

THURSDAY 27 APRIL 2006

### CONSTITUTION REVIEW WORKING GROUP

#### RECOMMENDATIONS OF CONSTITUTIONAL CHANGES

The Constitution Review Working Group comprises:  
Councillors Curie, Ann Groves, Osborn, Seymour and Thornton.

Arising from its meeting held on 5 April 2006, the following Recommendations are submitted for the Council's endorsement.

#### INDEX (Current Constitution references)

	<u>Location</u>	<u>Page No.</u>	<u>Section</u>	<u>Rule No./Title Or Subject</u>
1.	3A	3.4	Terms of Reference	Powers of the Chair of the Audit Committee
2.	3B	3.65	Allocation of Responsibilities – Delegations	Officer Delegations
3.	4A	4.13	Council Procedure	Motions at Council
4.	4B	4.10	Committee Procedure	Clarification of Applicability to Development Control
5.	4C	4.1	Budget and Policy Framework Procedure	The Process for the Development of the Budget
6.	4D	4.4	Executive Procedure	Business not on the Agenda
7.	4F	4.18	Overview and Scrutiny	Call-in Sub Committee
8.	4G	4.4	Access to Information	Meaning of Exempt Information (Schedule 12A)
9.	5H	5.1	Codes and Protocols	Confidentiality of Part II Reports

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1.      **LOCATION: Part 3A      PAGE NO. 3.4      SECTION: Terms of Reference**

To add a footnote to the terms of reference of the Audit Committee to reflect the statutory requirements of The Accounts and Audit Regulations 2003.

**“The Director of Financial & Business Strategy (or any person designated as the Chief Financial Officer), and the Chair of the Audit Committee shall have the power to sign off the draft accounts and final accounts of the Authority.”**

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It is proposed to substitute the current scheme of Delegations to Chief Officers with the revised scheme (as set out below). The proposal is that only delegations to the Chief Executive, Executive Directors and the Statutory Officers (the Monitoring Officer, Chief Financial Officer, Director of Children's Services and the Director of Adult Social Services) based on policy or legislative areas will appear in the Constitution.

The revised scheme does not add any further powers to those set out in the current scheme.

### **DELEGATIONS TO THE CHIEF EXECUTIVE – 3B**

This Scheme sets out those delegations made to the Chief Executive and Executive Directors whether by the Council or by Cabinet or derived from statute. The Scheme also sets out the powers of the Statutory Officers of the Council.

The Chief Executive, Executive Directors and Statutory Officers may (where statute allows this) further delegate responsibility for matters to officers within their departments. These delegations must be in writing.

All delegated powers are derived from either the Council or Executive. The source of each delegation is specified in the Scheme.

Council, Cabinet or Committees may reserve to themselves decisions that have been delegated to officers by giving notice to the relevant Executive Director or the Chief Executive.

When any new power or duty is given to the Council and it is unclear where responsibility for that function lies, the exercise of that power or duty will be undertaken by the Chief Executive or relevant Executive Director.

#### Principles of Delegation

1. Officers should not exercise delegated powers where, in their opinion, the matter should be decided by Members.

As a guide, the kind of matters Members should determine include:

- Those not covered by an approved policy.
- Those with unusual features.
- Matters which may have political or other significance.
- Public interest matters.

2. In exercising delegated powers officers must:

- 2.1 Incur expenditure within approved estimates/limits.
  - 2.2 Comply with the Council's Procedural Rules and Financial Regulations in force at the time.
  - 2.3 Comply with any policy, plan or direction of the Council, Cabinet or Committee.
  - 2.4 Consult and where appropriate, and/or agree with other relevant officers.
  - 2.5 Consult or refer the matter to the Chief Executive in appropriate cases.
  - 2.6 Keep appropriate records and registers of decisions and report to Council, Cabinet or Committee if required.
3. In using delegated powers, officers are accountable to the Council or Cabinet or the Committee from which those delegated powers derived.
  4. Acts of officers done under delegated powers are deemed to be acts of the Council.
  5. Delegations exercised in relation to contracts must follow the Contract Procedure Rules in force at the time.

### **Non Executive Decision Procedure**

The Chief Executive, Executive Directors and Statutory Officers may be specifically authorised to take decisions on behalf of the Council, Cabinet or a Committee in cases of urgency or in relation to minor matters. In doing so they must follow the procedure required by the Director of Corporate Governance.

#### General

1. The Chief Executive may exercise any function delegated to any other officer.
2. Executive Directors may exercise any function delegated to directors or any other officer within their directorate.
3. Executive Directors may exercise any function outside their directorate delegations delegated to them by the Chief Executive.

The Chief Executive and Executive Directors have the following general powers:

4. To manage and promote the services and functions for which they are responsible. This includes:

<b><u>General</u></b>	
3.1 Taking and implementing any decision required for operational effectiveness.	Executive and Council
3.2 Responding to consultation documents.	Executive
3.3 Bid for external resources for services within their remit.	Executive
3.4 Liaise and develop partnerships with external agencies, Government departments and stakeholder organisations.	Executive
<b><u>Financial</u></b>	
3.5 Authorise expenditure within approved revenue budget estimates.	Council
3.6 Vire resources within the rules set out in Section 3, paragraphs 13-16 of the Financial Regulations.	Executive
3.7 Approve orders without limit.	Executive
3.8 Authorise payment of invoices without limit.	Executive
3.9 Authorise the collection of income without limit.	Executive
3.10 Authorise petty cash and expenses via payroll without limit.	Executive
3.11 Write off debts up to £10,000	Executive
3.12 To dispose of any asset up to £5k in value.	Executive
3.13 To set, vary and recover costs, fees and charges for goods and services funded by the Council.	Executive
<b><u>Contracts</u></b>	
3.14 Approve contracts without limit that do not require sealing.	Executive
3.15 Approve variations in contracts.	Executive
3.16 Approve use of consultants.	Executive

<b><u>Human Resources</u></b>	Council and Executive
3.17 To appoint, suspend and dismiss staff.	
3.18 To take any action under the Council's employment policies and procedures.	
3.19 To re-organise staff within their directorates subject to: <ul style="list-style-type: none"> <li>▪ Consultation with Chief Executive and Director of HR</li> <li>▪ Where appropriate, consultation with staff and/or their representatives.</li> <li>▪ No service policy implications.</li> <li>▪ No expenditure in excess of budget.</li> </ul> No growth in net expenditure beyond the current year.	
3.20 To authorise absence leave and payments, including overtime, expenses, loans, and ex gratia payments.	Executive
3.21 To authorise training and development and associated matters.	Executive
<b>INDIVIDUAL DELEGATIONS</b>	
<b><u>Chief Executive</u></b>	
1. To take any action necessary to ensure the effective and efficient management and operations of the Council.	Executive and Council
2. To make any decision delegated to another officer.	Executive and Council
3. Approve minor and technical changes to the Council constitution in consultation with the Director of Corporate Governance.	Council
4. Act in minor or urgent matters where to delay for a Council meeting would not, in his/her opinion, be in the Council's interest, subject to written approval of the Leaders of the three main political groups.β	Council
5. Act in minor or urgent matters where to delay for a Council committee meeting would not in his/her opinion, be in the	Council

Council's interests, subject to consultation with the three main political groups or their nominees. β	
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**β The powers in 4 and 5 above would be used only on production of a report, including financial and legal implications. All decisions taken using the powers in 4 and 5 above must be reported to the next meeting of the relevant committee or Council.**

<p>6. To report as appropriate to the Authority in the manner in which the Authority discharges its functions:</p> <ul style="list-style-type: none"> <li>▪ the number and grades of staff required to discharge its functions</li> <li>▪ the organisation of the Authority's staff</li> <li>▪ the appointment and management of the Authority's staff.</li> </ul>	Chief Executive
<p>7. To take any action necessary to ensure the effective and efficient management of the Chief Executive's directorate</p>	Executive and Council
<p>8. To take any action necessary to ensure the effective development and implementation of the following Council key strategies and services:</p> <p><b>(a) Strategy and Policies</b></p> <ul style="list-style-type: none"> <li>▪ Strategic Planning</li> <li>▪ Civil Protection in Peace Time (Emergency Planning)</li> <li>▪ Civil Defence Plan</li> </ul> <p><b>(b) Services</b></p> <ul style="list-style-type: none"> <li>▪ Corporate Governance</li> <li>▪ Legal</li> <li>▪ Democratic</li> <li>▪ Local Land Charges</li> <li>▪ Elections</li> <li>▪ Registrar (Births Deaths &amp; Marriages)</li> <li>▪ Marketing</li> <li>▪ Public Relations &amp; Internal Communications</li> <li>▪ Directorate Personnel Finance/ICT/Research/Management information functions as appropriate</li> </ul> <p><b>(c) Other</b></p> <ul style="list-style-type: none"> <li>▪ Leasing vehicles, furniture and equipment</li> <li>▪ Leased car scheme</li> <li>▪ Car Purchase Scheme</li> <li>▪ Education Charitable Trust Funds</li> </ul>	Executive and Council
<p><b><u>Executive Director (Business Development)</u></b></p> <p>1. To take any action necessary to ensure the effective and efficient management of the Business Development directorate.</p>	Council and Executive

<p>2. To act in minor or urgent matters where to delay to a Council Committee meeting would not, in his/her opinion, be in the Council's interest, subject to consultation with the Chief Executive and Leaders of the three main political Groups or their nominees.</p>	<p>Council</p>
<p>3. To take any action necessary to ensure the effective development and implementation of the following Council key strategies and services:</p> <p><b>(a) Strategy &amp; Policies</b></p> <ul style="list-style-type: none"> <li>▪ Budget and Budget strategies</li> <li>▪ Capital requirements and expenditure</li> <li>▪ Funding changes</li> <li>▪ Implementing Electronic Government Statement</li> <li>▪ E-Government</li> <li>▪ Town Centre Development</li> <li>▪ Financial Strategy</li> <li>▪ Treasury Management and Pension</li> <li>▪ Risk Management</li> <li>▪ Business Continuity</li> <li>▪ Investment</li> <li>▪ Health and Safety</li> <li>▪ Budget preparation</li> <li>▪ Community Engagement</li> <li>▪ Business Development Policies</li> <li>▪ Performance Management</li> <li>▪ Project Management</li> <li>▪ Human Resources Strategy</li> <li>▪ Human Resources Development Strategy</li> <li>▪ Corporate Strategy</li> <li>▪ Comprehensive Performance Assessment</li> <li>▪ Best Value and Performance Management</li> <li>▪ Equalities Strategy</li> <li>▪ Community Strategy</li> <li>▪ Health and Safety employment issues</li> </ul> <p><b>(b) Services</b></p> <ul style="list-style-type: none"> <li>▪ Information Communications Technology development and provision</li> <li>▪ Financial Management Support</li> <li>▪ Revenue collection</li> <li>▪ Payments and invoices</li> <li>▪ Council Tax collection and Business Rates</li> <li>▪ Housing Benefits</li> <li>▪ Community links with individual</li> </ul>	<p>Executive and Council</p>

<p>organisations</p> <ul style="list-style-type: none"> <li>▪ Grants</li> <li>▪ Capital Finance</li> <li>▪ Insurance</li> <li>▪ Directorate Personnel</li> </ul> <p>Finance/ICT/Research/Management information functions as appropriate</p> <ul style="list-style-type: none"> <li>▪ Internal audit</li> <li>▪ Education Awards</li> <li>▪ Procurement</li> <li>▪ Training, development and organisational learning</li> <li>▪ First Contact development</li> <li>▪ Payroll</li> <li>▪ Pensions</li> <li>▪ Human Resources (Personnel)</li> <li>▪ Local Pay Bargaining</li> <li>▪ Negotiation with Trade Unions</li> <li>▪ Occupational Health</li> </ul> <p><b>(c) Other</b></p> <ul style="list-style-type: none"> <li>▪ Scrutiny</li> <li>▪ Change Management</li> <li>▪ Links with Trade Unions</li> <li>▪ LPSA</li> <li>▪ Partnership Unit (excluding Community Strategy)</li> <li>▪ Emergency Planning</li> </ul>	
<p><b><u>Executive Director (Urban Living)</u></b></p> <p>1. To take any action necessary to ensure the effective and efficient management of the Urban Living directorate.</p>	Council and Executive
<p>2. To act in minor or urgent matters where to delay to a Council Committee meeting would not, in his/her opinion, be in the Council's interest, subject to consultation with the Chief Executive and Leaders of the three main political Groups or their nominees.</p>	Council
<p>3. To take any action necessary to ensure the effective development and implementation of the following Council's key strategies and services:</p> <p><b>(a) Strategy &amp; Policies</b></p> <ul style="list-style-type: none"> <li>▪ Housing Strategies</li> <li>▪ Asset development and investment</li> <li>▪ Regeneration</li> <li>▪ Local Agenda 21</li> <li>▪ Unitary Development Plan</li> <li>▪ Cultural Strategy</li> </ul>	Executive and Council



<ul style="list-style-type: none"> <li>▪ Economic Development</li> <li>▪ Town Centres Regeneration</li> <li>▪ Sports Strategy and Management</li> <li>▪ Environmental Strategy</li> <li>▪ UDP/Census/Planning Briefs</li> </ul> <p><b>(b) Services</b></p> <ul style="list-style-type: none"> <li>▪ Transportation</li> <li>▪ Environmental Health Services</li> <li>▪ Trading Standards (via contract with Brent)</li> <li>▪ Mortuary (via contract with Brent)</li> <li>▪ Housing provision, homelessness and management</li> <li>▪ Links with Housing Associations and Affordable Housing</li> <li>▪ Supporting People</li> <li>▪ Private Sector Housing</li> <li>▪ Building and Facilities Management</li> <li>▪ Energy purchase and conservation</li> <li>▪ Engineering – Highways and drainage</li> <li>▪ Land Management</li> <li>▪ Drugs Action Team</li> <li>▪ Leisure Management</li> <li>▪ Waste Management</li> <li>▪ Parks and Open Spaces</li> <li>▪ Street cleaning</li> <li>▪ Special Needs Transport</li> <li>▪ Catering – Meals on Wheels</li> <li>▪ Security</li> <li>▪ Highways, Lighting and CCTV</li> <li>▪ Maintenance</li> <li>▪ Directorate Personnel</li> <li>Finance/ICT/Research/Management information functions as appropriate</li> <li>▪ Building Control</li> <li>▪ Development Control</li> <li>▪ Parking Enforcement</li> <li>▪ Crime Reduction Team</li> <li>▪ Road Safety, CPZ and Traffic Management</li> </ul>	
<p><b><u>Executive Director (People First)</u></b></p> <p>1. To take any action necessary to ensure the effective and efficient management of the People First directorate.</p>	Council and Executive
<p>2. To act in minor or urgent matters where to delay to a Council Committee meeting would not, in his opinion, be in the Council’s interest, subject to consultation with the Chief Executive and leaders of the three main political Groups or their nominees.</p>	Council

<p>3. To take any action necessary to ensure the effective development and implementation of the following Council key strategies and services:</p> <p><b>(a) Strategy &amp; Policies</b></p> <ul style="list-style-type: none"> <li>▪ Arts and Cultural Strategy</li> <li>▪ School Organisation Planning</li> </ul> <p><b>(b) Services</b></p> <ul style="list-style-type: none"> <li>▪ Admissions and Exclusion Arrangements</li> <li>▪ Arts for Schools Service</li> <li>▪ Early Years and Child Care</li> <li>▪ Youth Services</li> <li>▪ Libraries</li> <li>▪ Governor services</li> <li>▪ Children’s services (currently in Education) including ESW’s, Education Psychologists etc</li> <li>▪ Old People Services</li> <li>▪ Adults with Physical Disabilities</li> <li>▪ Adults with Mental Health Problems</li> <li>▪ Adults with Learning Difficulties</li> <li>▪ Special Education Needs</li> <li>▪ Children in Need (and Child Protection)</li> <li>▪ Children Looked after and Leaving Care</li> <li>▪ Family Placement</li> <li>▪ Children’s Homes</li> <li>▪ Adoption and Permanence</li> <li>▪ Children and Disability</li> <li>▪ Children and Young People’s Mental Health</li> <li>▪ Client for Special Needs Transport</li> <li>▪ Client for Meals on Wheels</li> <li>▪ Directorate Personnel</li> <li>▪ Finance/ICT/Research/Management information functions as appropriate</li> <li>▪ Asylum seekers</li> <li>▪ Travellers</li> <li>▪ Refugees</li> <li>▪ Teachers’ Centre</li> </ul> <p><b>(c) Other</b></p> <ul style="list-style-type: none"> <li>▪ Youth Offending Team</li> <li>▪ Parent Partnership</li> <li>▪ Education Business Partnership/Work</li> <li>▪ Experience Consortium</li> <li>▪ Advisory Team</li> <li>▪ Curriculum access teams</li> </ul>	<p>Executive and Council</p>
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## STATUTORY OFFICERS

<b>Monitoring Officer</b>	<b>Statutory Source of Function</b>
1. Report on contravention or likely contravention of any enactment or rule of law.	Section 5 Local Government and Housing Act 1989.
2. Report on any maladministration or injustice where Ombudsman has carried out an investigation.	Section 5 Local Government and Housing Act 1989.
3. Appointment of Deputy Monitoring Officer.	Section 5 Local Government and Housing Act 1989.
4. Report on resources needed to undertake Monitoring Officer functions.	Section 5 Local Government and Housing Act 1989.
5. Investigate misconduct in compliance with Regulations and directions of Ethical Standards Officers (ESO).	Regulations under Section 66(1) and 66(6) Local Government Act 2000. Direction from ESO in individual cases.
6. Establish and maintain registers of member's interests and gifts and hospitality.	Section 81 Local Government Act 2000 and Members' Code of Conduct.
7. Advice to Members on interpretation of the Code.	Members' Code of Conduct
8. Key role in framework for local determination of complaints. Advice to Members, officers and the public on the operation of the Code and how alleged breaches should be investigated.	Statutory guidance para. 8.20 Regulations under section 66 of the LGA 2000.
9. Liaison with Standards Board for England and Ethical Standards Officers.	Regulations under sections 54(4), 57(3) and 66 of the LGA 2000.

10. Advice to Members on Compensation or remedy for maladministration.	Section 92 Local Government Act 2000.
11. Advice on vires issues, maladministration, financial impropriety, probity, policy framework and budget issues to all members.	ODPM guidance.
<b>Chief Finance Officer (Section 151 Officer)</b>	<b>Statutory Force of Function</b>
1. Oversight of proper administration of financial affairs	Section 151 Local Government Act 1972
2. Duty to nominate a member of his/her staff as chief financial officer (if unable to act owing to absence or illness)	Section 114 Local Government Finance Act 1988
3. Duty to report on a Council decision or likely decision which would lead to the authority incurring unlawful expenditure or would cause a loss or deficiency to the authority or entry of an unlawful item of account.	Section 114 Local Government Finance Act 1988
4. Duty to report on an Executive decision or likely decision which would lead to the authority incurring unlawful expenditure or would cause a loss or deficiency to the authority or entry of an unlawful item of account.	Section 114A Local Government Finance Act 1988
5. Duty to report on the robustness of the authority's budget calculations.	Section 25 Local Government Act 2003
6. Duty to report on the adequacy of the authority's proposed financial reserves	Section 25 Local Government Act 2003
7. Duty to report on previous years' financial reserves if it appears that controlled reserves is or likely to be inadequate, including recommendations for appropriate actions to rectify	Section 27 Local Government Act 2003
<b>Director of Children's Services</b>	<b>Statutory Force of Function</b>

1. Responsible for functions conferred on or exercisable by the authority in their capacity as a local education authority	Section 18 Children Act 2004
2. Responsible for functions conferred on or exercisable by the authority, which are social services functions, so far as those functions relate to children.	Section 18 Children Act 2004
3. Responsible for functions under section 23C to 24D of the Children Act 1989, relating to looked after children.	Section 18 Children Act 2004
4. Improving well-being of children in the authority's area.	Sections 10 and 18 Children Act 2004
5. Safeguarding and promoting the welfare of children.	Sections 11 and 18 Children Act 2004
6. Establish and maintain information databases in relation to the well-being and safeguarding of children	Section 12 and S18 Children Act 2004
7. Preparation and publication of a Children's and young people's plan.	Sections 17 and 18 Children Act 2004.
8. Responsible for any function under section 31 of the Health Act 1988 on behalf of an NHS body so far as those relate to children.	Section 18 Children Act 2004
9. Responsible for any additional functions as the authority consider appropriate	Section 18 Children Act 2004
<b>Director of Adult Social Services</b>	<b>Statutory Force of Function</b>
1. Responsibility for all social services functions (other than those for which the Director of Children's Services is responsible under section 18 of the Children Act 2004).	Section. [1A] and Schedule 1 of the Local Authority Social Services Act 1970

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**MOTIONS AT COUNCIL – RULE 15**

The amendments proposed do not materially change the current position but are intended to clarify the existing procedural rules,

- (1) Add the words in bold to Rule 15.4 (ii)

“15.4 (ii) do not relate to a matter for which the Council **as local authority** has power or duties or which affects the London Borough of Harrow”

- (2) Add a new Rule 15.7 to be inserted after Rule 15.6

**“15.7 If a motion is marked on the Summons as to stand referred to the Executive under Rule 15.6, then where Council decides to disapply the referral and allow the matter to be debated, the Council can make no decision on the matter but may make a recommendation or pass comments to the Executive. The Executive shall not be bound to accept any such recommendation or act on any such comments.**

The existing Rule 15.7 will be renumbered.

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**PUBLIC QUESTIONS RULE 18**

The proposed amendments, which are in bold, is intended to clarify the position relating to questions about an individual planning application from a member of the public

18.1 General (last line)

“Questions relating to individual cases and/or matters relating to staffing and conditions of service **and relating to individual planning applications at the Development Control Committee meetings** will not be permitted.  
**[See Rule 17 for speaking rights at Development Control meetings].”**

18.5 Scope of Questions

“The Chief Executive may reject a written question if it:  
[(a) – (e) existing]

**(f) is within the invalid categories referred to at 18.1 above**

No invalid questions will be circulated.”

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**THE PROCESS FOR THE DEVELOPMENT OF THE BUDGET - RULE 2**

It is proposed to delete the requirement in Rule 2 (b) to publish a draft budget by no later than 1 November in any year.

Rule 2 would read as follows:

- “(a) Before the publication of any draft budget proposals, the Executive shall propose and Council agree a timetable for the consideration of the budget. The timetable shall accord with these Rules and shall also detail the intended process for consultation on the budget with local stakeholders and others.
- (b) The Executive shall then arrange appropriate consultation with local stakeholders and others as agreed by the Council under (a) above. Details of the consultation process shall be included in the Forward Plan of the Authority.”

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**BUSINESS NOT ON THE AGENDA - NEW RULE 7**

A rule relating to items of business not on the agenda appears to have been omitted from the current executive procedure. In practice such items of business are usually accepted.

- (1) It is proposed to include such a rule to bring this in line with current practice and the committee and advisory procedure rules.

**“7. Business not on the Agenda**

**Business not on the agenda may only be considered where:**

**(i) the Access to Information Procedure Rules in Part 4G of the Constitution have been complied with ; or**

**(ii) a member of the Executive or any Statutory Officer has requested that an item is placed on the agenda for the meeting at any time before the start of the meeting and the Executive agrees to the item being included on the grounds of urgency. The grounds of urgency and the circumstances giving rise to the request must be recorded in the minutes of the meeting.”**

- (2) It is also proposed that all procedure rules should be amended to include the amendment to (ii) above by adding the wording **“or any Statutory Officer”**.

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7. LOCATION: Part 4F PAGE NO. 4.18 SECTION: Overview & Scrutiny  
Procedure Rules

**CALL-IN SUB-COMMITTEE RULE 22.6**

To add the words in bold to the existing rule 22.6 to read as follows:

“22.6 Subject to 22.6.1 and 22.6.2 below, once a notice invoking the call-in procedure has been received the decision may not be implemented until the Call-in sub-committee has considered it. The Chief Executive shall **in consultation with the Chair** arrange a meeting of the Call-in sub-committee to be held within seven clear working days of the receipt of the request for call-in.”

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**MEANING OF EXEMPT INFORMATION - RULE 11.4**

This amendment replaces the existing rule and complies with the current legislation, which came into force on 1 March 2006.

**Rule 11.4 Meaning of Exempt Information**

**Exempt information means information falling within the following 7 categories (subject to the relevant condition)**

Category	Condition
1. Information relating to any individual	Information falling within paragraph 1 is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
2. Information which is likely to reveal the identity of an individual	Information falling within paragraph 2 is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)  “Financial or business affairs” includes contemplated as well as past or current activities.	Information falling within paragraph 3 is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.  Information falling within paragraph 3 is not exempt information if it is required to be registered under (a) the Companies Act 1985 (b) the Friendly Societies Act 1974 (c) the Friendly Societies Act 1992 (d) the Industrial and Provident Societies Act 1965 to 1978 (e) the Building Societies Act 1986 the Charities Act 1993

<p>4. Information relation to any consultations or negotiations, or contemplated consultations or negotiations in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the authority.</p>	<p>Information falling within paragraph 4 is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemptions outweighs the public interest in disclosing the information.</p> <p>“Labour relations matter” are as specified in paragraphs (a) to (g) of section 218(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 (matters which may be the subject of a trade dispute, within the meaning of that Act or any dispute about a matter within this paragraph.</p>
<p>5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings</p>	<p>Information falling within paragraph 5 is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>
<p>6. Information which reveals that the authority proposes</p> <p>(a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person</p> <p>or</p> <p>(b) to make an order or direction under any enactment</p>	<p>Information falling within paragraph 6 is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>
<p>7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.</p>	<p>Information falling within paragraph 7 is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>
<p><b><u>The following categories will only apply to meetings of the standards committee or sub-committee in connection with the investigation and consideration of an allegation of a breach of the Code of Conduct for Councillors</u></b></p>	

<p>7A. Information which is subject to any obligation of confidentiality.</p> <p>7B. Information which relates in any way to matters concerning national security.</p> <p>7C. The deliberations of a standards committee or of a sub-committee of a standards committee in reaching any finding on a matter relating to the conduct of a Councillor or Co- opted Member</p>	<p>Information falling within paragraph 7 is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>
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Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.

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It is proposed to add this new Protocol to the Constitution to deal with Confidentiality of Part II Reports.

## **CONFIDENTIALITY OF PART II REPORTS: Codes and Protocols 5H**

### Introduction

1. There is provision at Rule 12 of the Access to Information Procedure Rules of the Constitution as follows:

#### “Excluding Public Access to Reports

The public may be denied access to reports if the Chief Officer responsible for drafting the report believes that the report relates to matters, which, in accordance with Rule 11, will not be considered in a public meeting. Such reports will be marked “Not for publication” together with the category of information likely to be disclosed”.

2. Rule 11 relates to the exclusion of access by the public to meetings of the Authority and provides definitions of “Confidential” information which is not subject to public disclosure and the categories of “Exempt” information which may be excluded from public meetings, subject to the relevant conditions.

3. All agenda, reports, other documents, information, discussion and proceedings of meetings where marked or regarded as confidential or exempt shall be treated as such unless and until they become public in the ordinary course of the Council’s business.

### Member Observance of Confidentiality

4. The Code of Conduct for Councillors addresses the requirements for Members to observe the confidentiality of information, which has not been made public. Imparting such information to others is a breach of trust.

5. Observance requires that a Member shall not impart to any person, other than to another Member or to an officer of the Council, any information, either in writing or verbally, which reveals the contents of any document or other communication marked confidential and given in confidence, unless and until that information has become public in the ordinary course of the Council’s business.

## Officer Responsibilities

6. It is recognised that officers should consult with Trade Unions only on those exempt or confidential reports which affect Trade Union members and on which the Trade Union may be able to add information, but only first having had regard to the degree of confidentiality and the possible consequence to the Council of unauthorised release.

7. When reporting a confidential matter the officer responsible for the preparation of the report shall, in consultation with the Chair and nominated members of the appropriate body, consider whether:

(a) a caution should be added to the papers in addition to the words "Private and Confidential" (that is "Not for publication");

(b) to limit the distribution of copies of a confidential report to the Members of that particular Committee: (in such a case the covering agenda will indicate the existence of the report and other Members can obtain a copy by personal application to the appropriate Director);

(c) the number of officers receiving a copy should be strictly limited;

(d) the report should be separately printed and distributed and copies separately numbered;

(e) Members and officers should be asked to return reports after the meeting;

(f) the papers should be sent to any "Advisers" (this restriction would not apply to voting co-opted members of the Lifelong Learning Scrutiny Sub Committee who are entitled to receive all papers relating to education matters);

(g) when drafting a report, if it might aid security for any confidential information to be omitted from the report and separately printed and circulated or, for example where only a sum of money is confidential, to report orally to the meeting.

## Rights of Co-optees and Advisers

8. Further to paragraph 7(f) above:

(a) Co-opted members of Committees, Sub Committees, Panels, etc., are treated as full Members and as such are afforded the same rights of access to reports and information as other Members;

(b) Advisers should, as a matter of course, be permitted to see all reports in Part II of the agenda of meetings to which they are appointed and to take part in the debate on such items

**UNLESS**, in the opinion of the relevant Director, the report reveals information, which should not be revealed to a non-Councillor on the grounds

that the release of the information could significantly, prejudice the interests of the Council;

(c) all members of Consultative Forums may see all the papers for those Forums and UNISON shall be provided with confidential reports for those Forums and other bodies, where their representatives serve as advisers, subject to paragraph 6 above.

#### Challenges Available to Members

9. If any Member considers that information described as confidential or exempt should not be so described then:

(a) if the information is a report or other papers presented to a Committee, Sub Committee, Panel, etc. and that body agreed that the information should be exempt, it can be asked to reconsider its decision;

(b) if the information is included in a document prepared by an officer and not yet considered by a Committee, Sub Committee, Panel, etc., then that officer may be asked to reconsider: if the officer does not agree then the issue may be referred to the appropriate body for decision;

(c) whenever appropriate in timescale terms, the Cabinet may act for executive reports as the appropriate body for the purposes of (a) and (b) above and the Overview and Scrutiny Committee in all other cases.

#### Breaches of the Protocol

10. Any breach of this Protocol shall be reported to and investigated by the Cabinet in relation to reports/issues falling within the Executive's remit and otherwise reported to and considered by the appropriate body and, as appropriate, those bodies shall consider whether or not any action is necessary to protect the interests of the Council.

**Note:** *If a breach of this Protocol results in an alleged breach of the Code of Conduct this should be referred to the Monitoring Officer or the Standards Board for Investigation.*

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**ITEMS 10 & 11**

**ORDINARY COUNCIL  
27 APRIL 2006**

**STANDARDS COMMITTEE  
RECOMMENDATIONS**

- |            |                         |                |                                       |
|------------|-------------------------|----------------|---------------------------------------|
| <b>(1)</b> | <b>17 November 2005</b> | <b>REC. I:</b> | <b>Declaration of Interests</b>       |
| <b>(2)</b> | <b>27 March 2006</b>    | <b>REC. I:</b> | <b>Mandatory Training for Members</b> |

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## REPORT OF STANDARDS COMMITTEE (SPECIAL)

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### MEETING HELD ON 17 NOVEMBER 2005

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Chair:	* Councillor Janet Cowan	
Councillors:	Ann Groves	* Thammaiah
	* Paddy Lyne (2)	* Toms (2)
	* Mrs Joyce Nickolay	
Independent Persons:	* The Rt Revd Peter Broadbent	† Mrs Bijal Shah

\* Denotes Member present  
(2) Denotes category of Reserve Member  
† Denotes apologies received

[Note: Councillor Mrs Kinnear also attended this meeting in a participatory role].

#### **PART I - RECOMMENDATIONS**

##### **RECOMMENDATION I - Declaration of Interests**

The Director of Corporate Governance introduced a report which sought approval of a number of revisions to the Code of Conduct in order to protect Councillors from falling foul of the Code in relation to the declaration of interests at meetings.

The Director of Corporate Governance reported that under the current Code of Conduct, Members were expected to declare a personal or prejudicial interest when attending a meeting. This issue had recently been brought to light when a Councillor, who was not a Member of that Committee, attended a meeting, sat in the public gallery and had not declared their personal interest. Harrow's Hearing Panel had been required to determine whether the Member had been in breach of the Code of Conduct.

At the Standards Committee meeting, the Member concerned challenged two issues: a High Court Ruling in the Richardson Case where it had been determined that a Member who sat in a public gallery and had a prejudicial interest should have declared their interest and left the room. The Member indicated that this was based on a prejudicial and not a personal interest. The Standards Board for England were in agreement with the Court of Appeal's Ruling in the Richardson Case but, as part of the review of the Code, had made a representation to the Minister for further clarification of some of the wording within the Code. The Member also challenged the advice within Harrow's Code of Conduct in that the wording "member" and "attends" were ambiguous under Rule 11.1, Disclosure of Personal Interests.

The Committee noted that Harrow's Hearing Panel had upheld the complaint of the Member, describing it as a technical breach of the code and acknowledged that, under the current arrangements, it was difficult for Members to declare an interest from the public gallery.

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The Director of Corporate Governance advised that until the Code of Conduct was revised in 2006, a temporary amendment to Rule 11.1, Disclosure of Personal Interests would be necessary in order to protect Members.

Having noted that personal and prejudicial interests must be declared when a Councillor attended a meeting, even if they sat in the public seating and did not participate and that all Members be advised of this requirement, it was

**Resolved to RECOMMEND: (to Council)**

That the Code of Conduct be amended under Section 5a, Codes and Protocols, Rule 11.1, Disclosure of Personal Interests, to the following;

“For avoidance of doubt a Member with a personal (but not prejudicial) interest who observes a meeting from the public gallery or any part of the room or chamber, but does not address the meeting or take part in the discussion is nevertheless deemed to be attending the meeting and so is required to declare the interest” .

(See also Minute 121).

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**REPORT OF STANDARDS COMMITTEE**

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**MEETING HELD ON 27 MARCH 2006**

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Chair: \* Councillor Janet Cowan

Councillors: \* Branch \* Thammaiah  
\* Ann Groves \* Toms (2)  
\* Mrs Joyce Nickolay

Independent Persons: † The Rt Revd Peter Broadbent \* Mrs Bijal Shah

\* Denotes Member present  
(2) Denotes category of Reserve Member  
† Denotes apologies received

**PART I - RECOMMENDATIONS**

**RECOMMENDATION I - Mandatory Training for Members**

The Committee received a recommendation from the Member Development Panel meeting of 7 February 2006, which invited members to consider mandatory training for all Members of Council.

It was noted that, in light of the ever increasing risk of challenge through the Appeal Court, mandatory training would pre-empt some of the difficulties faced. Members suggested that some training be run in-house in order to keep costs to a minimum, or that alternatives such as inter-Borough training be sought. A Member provided as an example the training offered by Brent Council for those involved in Standards Committees. Officers were reminded to ensure that Independent Members were also offered any available training.

**Resolved to RECOMMEND: (to Council)**

That (1) training in the Code of Conduct be mandatory;

(2) training for membership of the Personnel Appeal Panel, Social Services Appeals Panel and the Chief Officers' Employment Panel be mandatory;

(3) all Members of appropriate bodies be required to undertake training regardless of experience, subject to (8) below;

(4) a brief initial training session be provided prior to any inaugural meeting and that this be followed up by a full training session to be held before 30 September 2006, subject to the availability of staff;

(5) training should, where possible, be offered at three or four sessions on at least two different days;

(6) Members be asked to consider whether training should be provided by the best available means, whether this be external providers or officers of the Council;

(7) a record, open to inspection by all Members, be kept of the attendance at all training sessions;

(8) subject to the agreement of the Chair of the Standards Committee, special arrangements for an officer briefing be made where a Member, in exceptional circumstances, is unable to attend any of the training sessions; during the process Group Leaders and Whips be kept informed, the Chair of the Standards Committee agree any special arrangements made and a note be made in the register of attendance that such arrangements were made;

(9) if it be considered during the life of the Council that further updated mandatory training is needed, then the Standards Committee have the power to impose such a requirement;

(10) all training sessions should, wherever possible, be open to attendance by any Councillor, whether or not the Councillor is a Member of the relevant Committee;

(11) an outline training programme be prepared, this programme should be agreed by the Member Development Panel and then recommended to the Standards Committee.

**ITEM 12**

**ORDINARY COUNCIL  
27 APRIL 2006**

**OVERVIEW AND SCRUTINY COMMITTEE  
RECOMMENDATION**

**(1) 27 March 2006 REC. I: Overview and Scrutiny  
Committee Annual Report**

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## REPORT OF OVERVIEW AND SCRUTINY COMMITTEE

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### MEETING HELD ON 27 MARCH 2006

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Chair: \* Councillor Jean Lammiman

Councillors: \* Blann \* Myra Michael (1)  
\* Bluston \* Osborn  
\* Gate \* Pinkus  
\* Mitzi Green \* Seymour  
\* Mark Ingram \* Mrs R Shah (1)

\* Denotes Member present  
(1) Denotes category of Reserve Members

[Note: Councillor Mrs Kinnear also attended this meeting to speak on the item indicated at Minute 409 below. Councillor Mrs Bath also attended the meeting in a participatory role.]

### **PART I - RECOMMENDATIONS**

#### **RECOMMENDATION I - Overview and Scrutiny Committee Annual Report**

Your Committee considered its annual report for 2005/06 which provided an overview of the work of the scrutiny bodies over the past year, together with a flavour of the work which would be undertaken over the coming year. As the 2005/06 annual report was the final report under the current administration, it also looked back over the development of Scrutiny in Harrow since its introduction in 1999. Members requested a number of amendments to the draft report. In particular, it was requested that Overview and Scrutiny review its process for the scrutiny of Children's Services.

Your Committee expressed its pride that community representatives had been involved to lead on reviews, which had proved successful. There was consensus that Scrutiny had benefited enormously from the direct involvement of community representatives. The Chair thanked Members and officers for their work on the annual report. Members of the Scrutiny Sub-Committees were also thanked for scrutinising challenging issues.

Your Committee welcomed the launch of the Annual Report which would take place on 27 April 2006.

Your Committee, having authorised the Chair and the Vice-Chair to accept any changes to the draft text of the reports from the Lifelong Learning Scrutiny Sub-Committee, which had not met at the time this report was considered, and, in order to meet its obligations under the Council's Constitution which required the Committee to present its annual report to Council, it

#### **Resolved to RECOMMEND: (to Council)**

That the Committee's annual report for 2005/06, as now amended, be noted.

(See also Minute 400).

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Overview and Scrutiny Committee

# Annual Report

2005-2006

Scrutiny is an independent, councillor-led function working with local people to improve services





# Overview and Scrutiny Committee

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## Annual Report May 2005 – May 2006

### Contents

<i>CHAIR'S OVERVIEW</i> .....	2
<i>WHAT THEY SAY ABOUT SCRUTINY!</i> .....	5
<i>REPORTS FROM THE COMMITTEES Overview and Scrutiny</i> .....	6
<i>REPORTS FROM THE COMMITTEES: Environment and Economy</i> .....	14
<i>REPORTS FROM THE COMMITTEES Health and Social Care</i> .....	19
<i>REPORTS FROM THE COMMITTEES Lifelong Learning</i> .....	26
<i>REPORTS FROM THE COMMITTEES Strengthening Communities</i> .....	30
<i>REPORTS FROM THE COMMITTEES Call-In</i> .....	34
<i>SCRUTINY IN CONTEXT</i> .....	37
<i>CONCLUDING THOUGHTS</i> .....	40
<i>CONTACT THE SCRUTINY TEAM</i> .....	41
<i>Appendix One – Governance Structures</i> .....	42
<i>Appendix Two – Membership of the Overview and Scrutiny Committee and the Scrutiny Sub Committees 2005-06</i> .....	43
<i>Appendix Three – Satisfaction Survey</i> .....	47



# CHAIR'S OVERVIEW

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Scrutiny has come a long way since our committees were first established in 1999. At the end of our first full four-year term, we have built on a role that was new to us all to review effectively a wide-range of council projects from home care services and budget processes, to waste management.

2005/2006 has been another exciting year. The scrutiny committees have continued to improve the way they work. They are developing a reputation throughout the council and amongst our partners for excellent independent challenge and innovative thinking. Each of the committees has undertaken review work that will contribute to the overall improvement of services delivered to local people. These are discussed in more detail in the appropriate sections below, but we would particularly like to highlight the work of one or two of the reviews.



*Councillor Jean Lammiman and Julia Smith, Chief Executive of HAVS, joint chairs of the Hear/Say review*

The Hear/Say (Community Engagement) review has produced some challenging recommendations for the way the council engages with local people. We were able to reach out to a broad range of local people to assess how we might improve our communication techniques. Our partners in the voluntary sector have not only participated but have helped steer our investigation. We are extremely grateful to Julia Smith, the Chief Executive of Harrow Association of Voluntary Service for co-chairing the review with me. This review has been broadly welcomed across the council with positive comments from staff across the organisation. We hope it will make a significant contribution to how well the council keeps in touch with residents.

We have experimented with new ways of working – the evidentiary hearing undertaken as part of the tourism review meant that a huge amount of information was discussed by review group members in ‘round table’ session with expert witnesses. This facilitated ‘real time’ debate and meant that the information the review was able to gather was of the highest quality. It also ensured that effective use was made of councillors’ time and the time of those organisations that supported the review as witnesses.



*Evidentiary hearing in session*



*Reducing Fear of Crime conference*

The Reducing Fear of Crime conference brought together local people and representatives of organisations that can help alleviate the fear of crime. By hosting this event, scrutiny clearly identified itself as a champion of local people and arbiter of the difficult issues they face. This conference was welcomed across the board with positive comments from the Police Service, council officers and local people.

We have also been working with colleagues in Brent and Ealing to safeguard local people's health care services by reviewing the North West London Hospitals Trust's proposals for Northwick Park Hospital. These proposals will see a significant change in the way local people access hospital and health care services. Consultation on the proposals has been postponed until the summer. But during our initial work, we were able to build excellent working relationships with councillors from our neighbouring boroughs that will increase the effectiveness of health scrutiny in the future.

In September last year we adopted the 'Principles of Scrutiny'. These have consolidated our experience over the last four years and exemplify how we wish to pursue scrutiny in the future.

These principles:

- Outline the changing context within which scrutiny operates and the opportunities this offers the council
- Reaffirm the role of scrutiny and propose a further development of the function to more fully consider the role of partners in improving the quality of life of local people
- Seek agreement on the discreet yet complementary roles and responsibilities of scrutiny members, executive members and officers
- Clarify the process by which the work programme will be developed
- Propose the development of a comprehensive communications network
- Propose potential alternative methods for undertaking scrutiny reviews
- Propose ways of working in the run up to the local government elections in 2006

We hope that these principles, which we feel represent best practice in delivering an effective scrutiny function, will be a useful guide to the next administration.

As the scrutiny function matures, we will face further demanding challenges. We know that we have a role to play in service improvement in general - but as thinking around Comprehensive Performance Assessment and neighbourhood engagement becomes clearer, we expect the profile of scrutiny to grow. Similarly the continuing emphasis on partnership working and in particular the expansion of Local Area Agreements could mean greater responsibility for scrutiny to hold our partners to account for the quality of services that they provide to local people. Changes proposed in the Police and Justice Bill are already pointing the way. The challenges we feel our successors will need to consider are outlined in more detail below.

We have worked hard this year to improve the way we communicate different types of information to different audiences in different ways. Our web site, our preferred vehicle, will offer dedicated 'zones' for officers, councillors, scrutiny councillors, residents and partners. We have also launched a quarterly newsletter for councillors.



This year has seen an increase in the number of councillors and members of the public we have engaged in our work. More than 40 out of the total of 63 councillors have been involved in some way with the scrutiny process, whether as members of committees, review group members or as members of the Executive. All of this year's reviews included people co-opted to support our work and through our communications strategy we will continue to seek community experts who can bring a resident/user perspective to our deliberations.

Our recently introduced annual survey of members will help us to improve the operation of the scrutiny function. This survey was passed to senior managers, cabinet and representatives of the council's partner agencies. The response rate was unfortunately rather low which means it is very difficult to draw conclusions. However, it has identified a number of challenges in the coming year, not least to ensure that our colleagues understand our role and how we work. The end of review surveys, undertaken after each scrutiny review, are generally quite positive. The full results are included as Appendix Three. The scrutiny team will be considering action to be taken in response to all of the surveys during the next year.

This is our final year in this term. Some of us will not be returning to political office. Those of us who do may not return to the same roles. We would like to thank all of our political colleagues for the excellent contributions they have made to scrutiny in Harrow. Working in a non-partisan, independent and challenging way to improve services for local people has been a rewarding experience. We would also like to extend our gratitude to the many officers with whom we have worked over the last four years. Their openness to our challenge and their willingness to support our investigations has made a significant contribution to the work that we have undertaken. The positive manner in which they have responded to our questioning also means that together we have secured many improvements to the quality of life of local people.

And finally, we would like to thank staff of the scrutiny team, past and present, for their hard work supporting the scrutiny councillors. Their professionalism, ingenuity, good humour and loyalty to the spirit of scrutiny has enabled us all to make the maximum impact in our role.

We are proud of the contribution that scrutiny has made over the last four years and it is this legacy of constructive challenge and a focus on improving the lives of local people that we pass on to the next administration.



**Cllr Jean Lammiman**  
Chair Overview and Scrutiny Committee



**Brian Gate**  
Vice Chair Overview and Scrutiny Committee

# WHAT THEY SAY ABOUT SCRUTINY!

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'I believe that the [Health and Social Care sub] committee has developed a positive relationship with local NHS organisations and that this has, in turn, lead to a greater understanding of the role of scrutiny by NHS organisations. I look forward to developing these relationships further in 2006/7'.

**Jean Bradlow, Director of Public Health, Harrow Primary Care Trust**

'I was delighted to be invited to jointly chair the Hear/Say scrutiny review which has just been completed. I found the process fascinating; it is clearly independent and has the freedom to ask awkward questions. It was encouraging to see how well the recommendations from the review were received. Scrutiny is clearly a powerful advocate for local people. I would urge members of the public to become involved as I learnt a great deal from being involved'

**Julia Smith, Chief Executive Harrow Association of Voluntary Service**

'When making my annual visit to Harrow, I was pleased to hear about the role that scrutiny is playing in tackling issues that are a high priority for local residents, in this instance by examining how the police and the council can work together to reduce residents' fear of crime'.

**Len Duvall, Chair Metropolitan Police Authority**

I would like to express my thanks and on behalf of my team for the excellent event [Reducing Fear of Crime conference] last night. It was extremely well organised and attended and certainly contributed very directly to the local debate about fear of crime and customer concerns.

**Crime Reduction Team member, Harrow Council**

'The development of the scrutiny function for local government has been a voyage of discovery over the last 4 years. When the function was introduced in 2002 there was no blueprint as to how to achieve what central government hoped that it would. Whilst the legislation talked of 'holding the Executive to account' and 'developing and reviewing policy', most councils needed to think creatively as to how this would be achieved. Scrutiny is an independent, member-led function and it is to the credit of the scrutiny councillors in Harrow that they have developed a function that is delivering an effective challenge and supporting the council to improve its services in a strategic fashion. The last year in particular has seen scrutiny reviews make an excellent contribution to improving the quality of life of local people.'

**Chief Executive, Joyce Markham**

'Most politicians do not relish the thought of being 'held to account' when presented with an opportunity to deliver on their manifesto commitments. However, I think the contribution that scrutiny in Harrow has made has helped my administration to focus our activity and to safeguard the interests of local people, making an excellent contribution to the performance of the council overall. I am particularly grateful for the contribution that my fellow councillors have made to the development of policy in the borough, which means that our services can perform at the highest levels.'

**Leader of the Council, Councillor Navin Shah**

# REPORTS FROM THE COMMITTEES

## Overview and Scrutiny

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### Introduction

2005/06 has been a year in which the Overview and Scrutiny committee has succeeded in exemplifying the basic principles of good practice that now govern our work. We have undertaken a full programme of reviews, codified how we intend to work and introduced new ways of doing business.

### Reviews

This year, we undertook one of our most challenging reviews so far – ‘Hear/Say – Making a Difference Through Listening and Talking’.

This review of how the council engages with local people has involved detailed examination of the council’s consultation and engagement processes and has been undertaken alongside the development of the council’s community engagement strategy – in this sense, we have delivered scrutiny in ‘real time’.

The review has brought us into contact with parts of our community who have only fleeting involvement with the council and its services. This in itself will mean that we can ensure that we improve the outreach of our services. The review drew on the conclusions of two in-depth case studies to look in detail at some specific areas of council communication.



*Launch of the Hear/Say review*

The Social Inclusion case study was particularly challenging. By its very nature this case study had to look beyond the Council’s usual constituents. We wanted to examine how we could reach and support those members of our community who are generally not in touch with us. This includes disaffected young people, people whose first language is not English and residents from the refugee communities.

Our investigations led us to some fairly radical conclusions, for example in how the council uses its voluntary sector grant funding to reach and support isolated communities, how well our youth services are working with young people and how we might engage across different neighbourhoods. We were delighted to have come into contact with a number of organisations working with our more isolated communities, in particular Youth Akili, a voluntary organisation working specifically with young people from the Somali community and Media4Life a local organisation that helps to improve the life chances of young people by offering them training in media-related subjects. We look forward to working with these dynamic organisations in future.

The Traffic and Transportation case study examined the performance of the council in one of its conventional yet controversial areas of public consultation. The review contacted residents who had recently been consulted on traffic schemes to find out how happy they were with the way they had been consulted. In general the results were fairly positive and we were able to identify some specific lessons from the investigation that could be transferred and taken up across the council.

The Hear/Say report was presented to cabinet in February. All of the immediate recommendations were accepted with further work on such issues as grant making policy, youth service and area based networks agreed. We will continue to work with our colleagues across the council and monitor the implementation of our review's findings.

We were delighted to participate so positively in the launch of the community engagement strategy in March. This enabled us to demonstrate how scrutiny can help the development of services, particularly when we are involved from the outset.

This year we have also undertaken a further review of the council's Middle Management Review (MMR). Under the MMR, the council has completely redesigned its middle management structures. Concerns regarding the implementation of this process have been raised in a number of quarters. An initial report by an external consultant regarding the actual process was undertaken early in 2005 as reported in last year's annual report. The review group endorsed the findings of the consultant which were broadly:

- Need to reduce delays in the completion of the project
- Need for clear project management of the process
- Need for clear sponsorship of the process

Towards the end of 2005, we undertook a further review of the MMR process, to specifically investigate the impact of the process on staff who had been through it. In general we were concerned that there had been a detrimental impact on staff who had been through the process. Our recommendations stressed the need for the council to acknowledge this impact and to ensure that lessons learned from the process and identified in both the Part One and Part Two reviews are taken on board by the council - particularly in the light of the significant transformations proposed under the Business Transformation Partnership. The report was considered by cabinet at its final meeting in April and the recommendations were generally endorsed.

### **Ongoing work of the committee and other activity during the year**

We were also pleased to see the impact that our previous review of budget processes and last year's community budget group under the aegis of scrutiny has had on the council's engagement with local people. As a direct result, the council decided to embark on the pioneering 'Open Budget Process', which saw 300 local residents working with the council to identify priorities for the budget. The project was run on behalf of the council by the Power Enquiry, which has been investigating how participation in British politics could be increased and deepened and it has formed part of the evidence in the Power Enquiry's final report. It was as a direct result of the council's budget scrutiny work that Councillors Jean Lammiman and Mark Ingram were invited to contribute to the Association of London Government Scrutiny Network's budget scrutiny event in December last year.

Scrutiny has continued to monitor the Open Budget Process, which attracted national attention, and the council's political and managerial leadership in their efforts to enable local people to engage in the budget setting process. We hope that the lessons learned from this initiative will enable the council to build on this year's experience and enhance its reputation both within the local government community and very importantly with the people of Harrow.

This year we have also modified the six-monthly question and answer (Q&A) sessions we hold with the council's Leader and Chief Executive. This session is an important event in the scrutiny calendar offering us a unique opportunity to discuss some of the key issues of the day with the most senior council representatives. In previous years we have included this session in a scheduled meeting of the committee. This has however resulted in the session being overfull and the full benefit of the process has not been achieved. As a result it was agreed that the Q&A should be separated out and held as a special meeting of the Overview and Scrutiny committee. This proved a success. We have also developed proposals as to how the session itself is designed. We are considering requesting a 'state of the nation' report from the Leader and Chief Executive built around issues of particular concern to us, which we might then interrogate further at the Q&A session. It is still early days but we commend the idea to the next Overview and Scrutiny committee.

In addition to scheduled meetings with the Leader and the Chief Executive, portfolio holders with responsibility for Business Connections and Performance, Communications, Partnerships and Human Resources have also attended the committee to provide us with their bi-annual reports on the budget and human resources developments. The portfolio holder for Planning, Development and Housing also attended the committee to answer questions regarding the development of Stanmore car park.

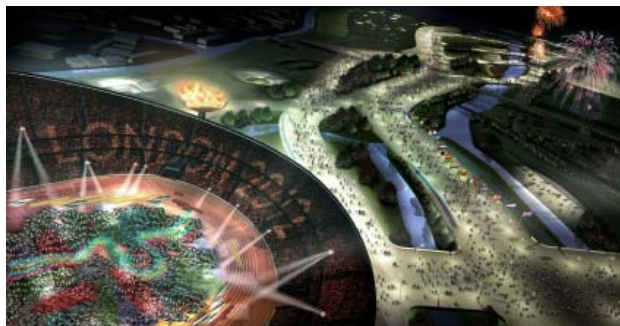
During the year, we endorsed the 'Principles of Scrutiny' which provide a framework and context for the work of the committee and outlined some of the principles we wished to adopt in order to fulfil our role. As part of this process we have introduced formal review progress reporting. All scrutiny committees now receive written reports on the progress being made on each of the reviews being undertaken. Whilst this is not necessarily the most innovative of our developments, it does mean that we have put all of our activity into the public domain. The principles paper also made a number of recommendations about how we communicate with other councillors, officers, outside organisations and members of the public. We are delighted to have produced our first member bulletin and look forward to continuing to improve how we communicate with our stakeholders.



Scrutiny Newsletter reaches the newstand

We have continued to monitor progress on a number of key areas of the council's activity. In particular we have received regular updates from the Business Transformation Partnership, the project that is set to transform how the council does business with the local community. We have received a number of reports from the lead officers on the project and have been able to offer regular challenge to the development. We have similarly maintained close oversight of IT developments in general across the borough.

We were delighted to receive a presentation on the opportunities likely to be offered to the council following London's successful bid to host the Olympics in 2012. Although they are a considerable time away, we look forward to supporting the council in its efforts to ensure that Harrow is able to fully participate in the games and take full advantage from the benefits that will accrue - whilst at the same time safeguarding local residents' interests.



We will be particularly interested in the opportunities available to our young people, not just potential sports stars but all young people who can benefit from the life enhancing opportunities offered by increased involvement in sporting activities. We are also keen to ensure that local businesses benefit, whether through tourism opportunities, business contracts or simply the higher profile afforded by the proximity of the games. Harrow is one of the most multi-cultural boroughs in London. We anticipate that our involvement in the games will have a significant resonance with our diverse community. Whilst many of us may not be members of the Overview and Scrutiny committee in the next administration (or even the subsequent administration during which the games will actually take place!) we hope that the work that we have begun will be pursued by our colleagues.

In the paragraphs below we have recorded the results of this year's performance monitoring. Last year was the first time we used 'end of review' satisfaction surveys. This year, these have been complemented by a questionnaire to all senior managers (directors and above) and all cabinet members. The response rate was unfortunately rather low which means it is very difficult to draw conclusions – four questionnaires were returned from senior managers/cabinet, three from partner organisations. However a number of points are made which the scrutiny team will try to address over the coming year.

From the internal surveys, it is gratifying to note the acknowledgement of scrutiny's role in the development of the council's policy and that there is general satisfaction with the quality of recommendations made by scrutiny reviews. Similarly we are pleased to see that all respondents were happy with the quality of the information they received about scrutiny. However, it seems there are still some gaps in the organisation's understanding of the role of scrutiny which the team will need to address in the coming year – we were particularly concerned regarding senior managers who were 'very dissatisfied' with how reviews were selected or did not know how they were selected. We were also concerned to note the general feeling that the timing of scrutiny's involvement with issues is 'unhelpful'. The scrutiny team will endeavour to investigate these concerns further to ensure that our input is at all times helpful to the organisation.

Whilst only three questionnaires were returned from our partners, it is gratifying to note that their comments were in general positive with suggestions for further work emphasising the constructive working relationship that is developing.

They have certainly identified areas in which we would like to focus some of our communications activity in the next year, but on the whole we are glad to see that those officers and partners with whom we have undertaken some exciting projects this year have been so positive about the process they have been involved in and the outcomes that have been delivered. The scrutiny team is also working on more detailed performance management systems and we look forward to receiving their thoughts on how best to measure the success of the scrutiny function.

### **Lessons from the last four years**

Scrutiny in Harrow has come a long way since it was first introduced in 1999, far in advance of the Local Government Act 2000 which instructed local authorities to establish Overview and Scrutiny committees. We started out as a group of councillors keen to make a difference to the lives of local people - but only a limited amount of resources with which to do this. We feel we have been able to make an impact locally through steadfast challenge to council activity and detailed investigation of those areas of particular concern.

One of the most surprising elements of our work has been how individual projects generate further areas of investigation. For example, original work on the New Harrow Project has led us to two subsequent investigations of the MMR process and proposals for further work on the value for money that has been generated by the groundbreaking changes to the council inherent in this project.

Similarly, initial work on the development of the council's budget led us to invite local people to participate in the community budget group under the aegis of scrutiny, an experiment that persuaded the council to take the major decision to participate in the Open Budget process. Both the New Harrow Project and budget reviews led us to the view that our consultation and engagement processes needed investigation resulting in the 'Hear/Say' review. Service delivery and thus scrutiny's contribution to improving it is not easily and neatly compartmentalised. We recognise the impact that this has on the development of our future work programme, persuading us to focus more on outcomes as experienced by local people than on discreet groups of services.

The key principles we have developed for the development of an effective scrutiny process have been:

- Independence
- Political neutrality
- Transparency
- Focus on outcomes

We commend these principles to our successors.

### **Potential areas for future consideration**

The actual content of the work programme of the next committee is beyond our control. However, we would hope that a number of issues generated during our tenure would be picked up by the next committee. In particular we would hope that the committee will continue to monitor the development and impact of the BTP and we have already suggested that the development of the council's Olympic activity is considered by the committee.

In addition to this we have identified a number of potential reviews, which we would like to recommend, are picked up by the next committee. These include:

- Procurement
- Neighbourhood engagement
- New Harrow Project and value for money

## **Challenges for the future**

### **Legislative Changes**

This is the end of the political term for these overview and scrutiny committees. However, the role of scrutiny continues to grow and the opportunities for our influence to expand seem limitless. During the last year, the committees have welcomed the opportunity to work with our partners in such issues as health, community safety and economic development. There are already clear indications that this will be developed in proposed legislation.

- *Our Health, Our Care, Our Say*  
The White Paper seeks to put people in control of their health services. Councils will be encouraged to use health overview and scrutiny committees to understand the strategic needs of communities and to monitor and challenge progress. A 'community call for action' is mooted and this will tie in with the development of local triggers of cause for concern in communities about health and social care services, with a requirement that agencies act in response. This recognises the role of ward councillors' in community advocacy and in taking up local problems with the relevant bodies.
- *Police and Justice Bill*  
Under the terms of this bill, the powers of the Overview and Scrutiny Committee are to be extended to encompass the work of the Crime and Disorder Reduction Partnerships. As with the Health White Paper, a last resort 'community call for action' is to be introduced, whereby the ward Councillor is expected to use informal methods to seek resolutions to community safety problems raised by local people. The scrutiny committee is expected to have a role in difficult cases that have not been resolved through the informal mechanisms available to the ward Councillors. Scrutiny will play a key role as a check and balance on community safety decision-making, tackling cross cutting issues and support partnership working. This form of 'scrutiny plus' is intended to involve the police, fire and PCT, who will have a duty to consider recommendations from scrutiny and report back on action taken or the reasons for not acting.
- *Local Area Agreements*  
As the scrutiny principles paper acknowledged last year, the quality of life enjoyed by local residents is now more than ever dependent upon the activities of many local agencies. The 'Our Health, Our Care, Our Say' white paper and the Police and Justice Bill have already enshrined the enhanced role that scrutiny will undertake in order to promote an improved quality of life for local people. Even where the legislation is not yet in place it is clear that to make a real impact, scrutiny must seek to influence partners to secure improved outcomes for local people. The necessity of partnership working is being promoted in the development of local areas agreements and we anticipate an increased role over the coming years to monitor the implementation of Harrow's Local Area Agreement.



- *Other anticipated changes*

In addition to these already announced challenges, we can expect further impact upon the scrutiny function from the 2007 Comprehensive Spending Review, the Lyons' Review and the Local Government White Paper, which is expected in the summer of 2006. Whilst there is no specific detail available at the moment, central government determination to enhance neighbourhood engagement and to devolve power to neighbourhoods would suggest that the powers enjoyed by members of overview and scrutiny committees will inevitably be expanded.

### **Local elections**

Perhaps one of the few challenges over which we might be able to exert some control is the potential impact of the local government elections in May 2006. Whilst we can clearly not anticipate the outcome of these elections, we can ensure that preparations are in place to provide the next committee with the expertise and knowledge that they require to do the job. We can also help by ensuring that the knowledge-base that we have developed over the last four years is passed on to our colleagues. Officers in the scrutiny team are working hard to ensure that member induction processes planned for after the election are able to impart the expert knowledge that councillors need to undertake effective scrutiny.

### **Improving scrutiny processes**

Changes to the Comprehensive Performance Assessment process suggest that those councils that are able to convince the Audit Commission that they have internal service improvement and challenge processes may potentially see their inspection regime reduced. This presupposes the existence of robust mechanisms and methodologies one of which ought to be the scrutiny process.

The principles paper outlined the context within which scrutiny might offer this internal challenge and work has been underway during the year to improve processes. The adoption of the scrutiny principles themselves, and the specific methodology for selection of reviews is a step in the right direction. However, if scrutiny is to play its part, then more work will need to be done by the next administration to improve the methodology we use. Of particular importance in this context is the need to ensure that the methodology can investigate the value for money offered by those services subject to review.

Evidence from our satisfaction survey suggests that there is still confusion with regard to the functions and processes of scrutiny. In particular a number of respondents to the high level survey did not know how reviews are selected. This points to a clear need to improve our communication processes. Whilst we have now introduced a quarterly Councillors briefing and are in the process of improving our website, it is of concern that some officers, at a senior level within the council remain unfamiliar with our purpose and our ways of working. This is something that must be addressed if we are to maximise the benefit from scrutiny activity. However, we are delighted with the responses the committees have received from the end of review survey which reinforce the view that scrutiny is working well with staff across the council to help them to improve the services that they provide to local people.

We are also aware that changes to the delivery structures of services to both children and older people mean that we should have regard to how appropriate our own scrutiny committee structure is. As recorded elsewhere in this report, the Lifelong Learning and Health and Social Care sub committees have arranged a number of ad hoc meetings during the year to ensure that the provision of services to young people is being effectively supported by scrutiny. The relevance of our structures is something that we must actively and critically appraise.



### **Cllr Jean Lammiman**

Chair Overview and Scrutiny Committee

### **Review Group Membership**

#### **Hear/Say**

Cllr Jean Lammiman (Joint Review Chair), Julia Smith, HAVS (Joint Review Chair), Cllr Nana Asante, Cllr Brian Gate, Cllr Ann Groves, Cllr Mark Ingram, Cllr Manji Kara, Cllr John Nickolay, Cllr Paul Osborn, Cllr Anjana Patel, Chris Noyce, Cllr Alan Blann, (Traffic and Transportation Case Study), Cllr Raymond Arnold, (Traffic and Transportation Case Study)

#### *Co-optees*

Adam Hassan, Refugee Link and Training Agency, (Social Inclusion Case Study), Roger Smith, POP Panel, (Traffic and Transportation Case Study), Dr Raechel Kenny, HAMCA, (Social Inclusion Case Study)

#### **MMR**

Cllr Brian Gate, (Review Chair), Cllr Jean Lammiman, (Review Vice Chair), Cllr Alan Blann, Cllr Ann Groves, Cllr Eileen Kinnear, Cllr Myra Michael

#### *Co-optee*

Christine Lee

#### **Statistics**

Committee Meetings: 6 Ordinary, 4 Special

In-depth reviews: 2

Review meetings: 36

Visits: 2

Attendance by Portfolio Holder (number of meetings): 4

Attendance by Leader (number of meetings): 3

Attendance by Chief Executive (number of meetings): 3

Statutory items considered: 4

# REPORTS FROM THE COMMITTEES:

## Environment and Economy

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### Introduction

The last four years have been busy and challenging ones for the Environment and Economy sub-committee. In our first annual report, produced in 2003, we stated that the first year of the sub-committee's operation had been a "steep learning curve". The pace of work since then has not decreased and we have grappled with a number of issues which are both central to the council's performance and, we think, important to residents as well.

Since 2002, we have conducted four in-depth reviews and one short review and examined areas including public utilities, housing, transportation and parking, waste management and recycling, the local economy, parks and tourism. The development of an agreed scrutiny methodology, and principles of scrutiny which have been agreed both by ourselves and the officers with whom we work closely, have meant that our work has become even more effective and targeted.

Most important is the fact that, as our knowledge on the key issues framing our terms of reference develops, we have been able to act in a more anticipatory way, looking at council strategies and operations as they develop rather than merely examining and criticising isolated areas of concern.

The waste management review which we conducted in 2004 presents an example of a review where, by working closely with officers and the portfolio holder to contribute to an area of developing policy, we were able to make timely and useful recommendations, of which 80% were accepted by cabinet. We have been continuing to monitor the waste management report, since it was reported to the committee in March last year. The Audit Commission conducted an inspection into Harrow's public realm services with particular reference to waste management and recycling, and when the report is produced by the commission we will be looking at it with interest.

Our first review, into consultation on traffic schemes (carried out in 2003), was similarly successful, with 70% of its recommendations implemented. Our continued commitment to ongoing monitoring of these reviews is demonstrated not just by the development of arrangements ensuring that six and twelve month updates on recommendations are received, but work of traffic consultation has now been supplemented by the Overview and Scrutiny committee's Hear/Say review into community engagement, which has revisited this area and built on the work which we carried out.

We also carried out a successful short review into the removal of asbestos from garages in the borough.

These kind of successes have meant that we have been able, in a relatively short space of time, to build up strong relationships with officers, particularly in Urban Living, which has in turn made our work easier to carry out and our comments and recommendations more focused and relevant. I very much hope that these close relationships can continue well into the future.

## 2005/06

We have conducted two in-depth reviews this year (see below), and have also carried out a great deal of interesting work in committee, having considered a number of key issues, including:

- Replacement of water mains in Harrow by Three Valleys Water, who visited us to make a presentation on this issue. Both members and officers were able to engage in an extremely useful dialogue with them on the potential disruption for residents, and the wide-ranging scope of the work being planned.
- Developments in the housing sector, including regular reports on housing voids and the progression of works being carried out under the Decent Homes Strategy, as well as the ramifications of the decision earlier in 2005 not to go ahead with transfer of the council's housing stock to an Arm's Length Management Organisation (ALMO).
- Implementation of the Licensing Act 2003, which came fully into operation in November 2005.

### In-depth reviews

We have just completed two major in-depth reviews – one of Public Green Spaces and one of Tourism.

Our review of public green spaces was wide-ranging, covering toilet and other facilities, cycling, and play provision in parks, as well as management and strategic issues.

We started by analysing best practice, looking at policy produced by national organisations such as Groundwork and CABI Space and the priorities of regional agencies such as the Greater London Authority.



*Councillors visiting other boroughs' parks*

We also investigated more locally, visiting parks in Brent, Ealing and Hillingdon, to see how these neighbouring authorities had developed their green spaces (especially in respect of the facilities they provided, such as play areas, toilets and refreshments). These visits preceded a trip around more than a dozen parks in Harrow, including Canons Park, Roxeth Recreation Ground, Headstone Manor Recreation Ground, Newton Ecology Park and Priestmead Park, amongst others.

We looked too at the way different boroughs had developed their strategies in relation to green spaces, and compared these approaches to Harrow's new Interim Sports, Recreation and Open Spaces Strategy and Green Belt Management Strategy.

Information gathered in this way gave us an invaluable knowledge base which we then built on by conducting detailed group work with some expert witnesses representing organisations such as London Play, the Civic Trust, Sustrans, Harrow Agenda 21, the British Toilet Association and many others.

Close working with the Urban Living directorate meant that our recommendations were framed with close reference to the significant and substantial work being carried out to develop parks and open spaces. We were also able to feed into the consultation process for the open spaces strategy, ensuring that both Urban Living and ourselves could rely on high-quality responses from the public to support our recommendations and actions.

We recommended that the strategic approach mapped out in the Interim Sports, Recreation and Open Spaces be bolstered, as well as that facilities in certain parks be developed to provide enhanced refreshment and toilet facilities where appropriate. We also made some key recommendations on how to encourage use and community involvement, including suggestions on how the fear of crime in parks might be countered (after having carried out a joint meeting with the Reducing Fear of Crime Review carried out by the Strengthening Communities sub committee). We also made a number of recommendations on biodiversity, and plan to monitor the development of the council's Biodiversity Action Plan over the coming months.

We were extremely pleased to note that the now-completed Sports, Recreation and Open Spaces Strategy 2006-2016 reflects a number of these key recommendations.

A Tourism Strategy was produced for the borough last year, and owing to increased council activity in this new area we thought it might be useful to conduct a review, looking at potential areas for development and enhancement of Harrow to make it even more "tourist-friendly", especially considering the opportunities afforded by the Olympics in 2012.



Our initial work on this review was similar to that undertaken for Public Green Spaces – best practice work based this time on international, national and regional policy. We learned of the significant opportunities afforded by tourism, in particular in London with the regional support structure provided by the London Development Agency and VisitLondon (the new name for the London Tourist Board).

Due to the large number of cross-cutting issues involved (tourism impacts upon planning, regeneration, communications and transport amongst other issues) we decided to receive the bulk of our evidence through an evidentiary hearing, held on 30 November. A number of key local and regional stakeholders attended to discuss with members the opportunities and challenges presented by tourism for the borough.

Because community involvement is crucial to tourism, we conducted surveys not only of hotel guests but of local people as well, and a series of focus groups designed to gauge people's reactions to tourism development.

We were pleased that perhaps our most important recommendation – that the post of tourism officer be retained – was agreed to, with the post having been made permanent in February. Our other recommendations intend to build upon this. Specifically, we considered that the tourism officer's post could be expanded and partnerships built across the council and wider community to aid in tourism development and regeneration, linking in with improved tourist information facilities and a focussed marketing effort. We have been pleased at how this suggestion has been welcomed by the portfolio holder and senior officers.

## **Ongoing work of the committees**

The Environment and Economy sub-committee has some specific statutory obligations, and there are also certain items which are regularly reported to us as a matter of good practice. These include:

### Statutory

- Monitoring of Trading Standards
- Monitoring of Housing Revenue Account

### Other

- Transport Local Implementation Plan
- Implementation of the Licensing Act 2003.
- Strategic Performance Reports
- Quarterly Monitoring Reports of various services (including public realm and tenant services)

### Invitation to the Portfolio Holders

The Portfolio Holders for the Environment and Housing have also attended our meetings to be held to account by the sub-committee; we have been very pleased with the level of engagement we have developed with the executive.

## **Future work for the 2006/07 work programme**

Areas of past work have given us some indication of the most important challenges which we will be facing in the future. We will continue to monitor those recommendations of our reviews which have been implemented. Other challenges may include:

- The Government has required that all housing stock reach the Decent Homes Standard by 2010, which is an aspect of performance that should continue to be examined.
- The impact of the opening of the new Wembley Stadium may well impact upon Harrow.
- The town centre redevelopment and regeneration, which is currently ongoing, is something in which we have been maintaining an interest.
- Public transportation issues, and working with TfL, are crucial to the life of the borough. Issues such as the removal of bus services are matters which fall under our terms of reference.
- The issue of congestion in Harrow town centre in particular has been raised as something which could be examined in more detail.
- Regeneration issues, especially in relation to Wealdstone.
- The maintenance of high standards for Public Realm services.
- Reduction in car usage – monitoring of the success of this ongoing corporate policy.

## **Challenges for the future**

Housing – this year the council has clarified its position with relation to the disposition of its housing stock. Although the decision was made not to proceed with an ALMO, the council now has to decide on the long-term methods it will employ to achieve the Decent Homes Standard by 2010.

Transport – nationally and locally, there are no significant changes being made to policy but on a regional basis TfL will soon be taking overall control of the Silverlink Metro rail franchise, which runs through the borough. We will be keeping a close eye on any planned alterations to bus services through the borough as well.

Local economy – the town centre regeneration plans have been advanced this year, and it is anticipated that 2006/07 will see them developed further.

Environment – more steps are being made to encourage people to recycle. Another waste management issue is the Mayor's planned creation of a pan-London waste authority.



**Councillor Alan Blann**

Chair, Environment and Economy Sub Committee

**Public Green Spaces Review Group**

Cllr Arnold, Cllr Joyce Nickolay, Cllr Idaikkadar, Cllr Whitehead  
(Cllrs Dharmarajah and Knowles to November 2005)

*Co-optees*

Don Goff (Harrow Sports Council), John Palmer (Harrow Agenda 21), Mic Sayer (HRUA)

**Tourism Review Group**

Cllr Blann, Cllr John Nickolay, Cllr Mrs Champagne (from November 2005), Cllr Miles  
(Cllr Harriss to November 2005)

*Co-optees*

Martin Verden (Harrow Heritage Trust), John Hollingdale (Harrow Agenda 21), Shiraz Jivraj  
(Crescent Hotel)

**Statistical information**

Meetings:	4 ordinary, 1 special
In-depth reviews:	2
Review meetings:	20
Visits/other:	3 visits, 2 sets of focus groups (one in partnership with Urban Living)
Attendance	
By Portfolio Holder:	3 meetings

# REPORTS FROM THE COMMITTEES

## Health and Social Care

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### Overview of Work Undertaken

The Health and Social Care Scrutiny sub-committee has had an exceptionally busy year, continuing to address key health and social care issues in the borough. Councillors also led a joint committee with neighbouring boroughs to examine plans for redevelopment at Northwick Park Hospital, followed up progress arising from previous scrutiny reviews, and continued to build positive working relationships with and between key health and social care agencies in the borough, including the council, Harrow Primary Care Trust (PCT), North West London Hospitals NHS Trust and the Patient and Public Involvement (PPI) Forums.

Key activities undertaken by the committee this year include:

- Scrutinising plans to redevelop Northwick Park Hospital (services and site reconfiguration) through a joint committee with Brent and Ealing Councils
- Submitting comments on new 'Annual Health Checks' for NHS trusts serving the borough – Harrow PCT, NWL Hospitals Trust, Central and North West London Mental Health Trust, Royal National Orthopaedic Hospital Trust
- Leading on the council's response to consultation on a proposed single Strategic Health Authority in London
- Addressing questions from members of the public on mental health issues.
- Receiving standing items on
  - Northwick Park Hospital maternity ward special measures (and the subsequent action plan)
  - Strategic performance reports for council social care services
  - Harrow PCT Financial Recovery Plan
- Commenting on a number of written and verbal reports in order to monitor:
  - Development of the North West London Cancer Strategy
  - Home Care Service Strategy and progress on implementing recommendations of the previous scrutiny review of Home Care Services, in particular the provision of parking permits to key care workers
  - Developments at Mount Vernon Hospital including future provision of burns and plastics services
  - Green paper on adult services
  - The risk of healthcare acquired infection in hospital
  - Social Services complaints data
  - CSCI annual review and performance assessment of Social Services
  - Inspection of older people's services
- Innovatively holding joint meetings with the Lifelong Learning Scrutiny sub committee to consider children's services, in particular the development of children trust arrangements in the borough, preparations for a joint area review, examining adoption services and the draft Children and Young People's Strategy.
- Holding key decision makers to account through question and answer sessions with the Portfolio Holder for Health and Social Care, and discussions with the Chief Executives of Harrow PCT and NWL Hospitals Trust.



## Key Areas of Impact

### *Joint Overview and Scrutiny Committee: Northwick Park Hospital Reconfiguration*

The Better Care Without Delay programme is a NHS plan which looks to redesign health services in Harrow and North Brent, including the redevelopment of the Northwick Park Hospital site. In response to this, councillors from Brent, Ealing and Harrow set up a Joint Overview and Scrutiny Committee in May 2005. In line with its statutory duty to scrutinise local NHS plans that involve substantial changes to local health services, the joint committee sought to assess the adequacy of the proposals for the hospital's services against the needs and expectations of local people, and to ensure that the consultation process was suitable to hear the views of all relevant stakeholders.

The joint committee met seven times between May and December and regularly asked questions of key NHS bodies for the project: Harrow PCT, NW London Strategic Health Authority (SHA) and the NWL Hospitals Trust, as well as asking for the views of such bodies as the PPI Forum and referring decisions to the various boroughs' health and social care committees for their further comments. Issues discussed included the overall proposals, developing improved patient care, listening to people's views, accessing services, transport links and the 'look' of the new hospital.



Given the Strategic Health Authority's ongoing review of healthcare in the wider NW London region, the proposed consultation on the plans for Northwick Park Hospital has been postponed until June 2006. Therefore, the joint committee anticipates recommencing the main thrust of its work in early summer. In the meantime, the NHS has guaranteed to keep the boroughs informed of developments pending the consultation and the three councils will continue to liaise and exchange information.

By working as a joint committee, as councillors from neighbouring boroughs we have responded in a manner that serves the interest of the local people and held the NHS to account, making valuable contributions in terms of their consultation mechanisms and the development of the clinical strategy. The coming together of the three boroughs has been a real success and this should provide a solid foundation for the next phase of joint committee work. We are agreed that this has been a welcome learning curve and the work produced so far should stand us in good stead and in readiness for the start of the new consultation. Furthermore, the joint committee has demonstrated how scrutiny can further Harrow's corporate priorities, in this case 'impacting through Harrow's partnerships' with regard to health agencies, other local authorities and tangibly raising the profile of scrutiny.

### *Responding to local areas of particular concern*

During the course of the year, we have acted upon a number of issues raised in the local and national media about healthcare in the borough. In this respect, we have regularly received updates on how Northwick Park Hospital is delivering and maintaining changes in its maternity ward following special measures. This included welcoming Professor Arulkumaran to give us a detailed progress report, and by the time this report is published, the hospital's new Director of

Nursing will have appeared before the Committee. We have also kept a watching brief on the financial position of Harrow PCT with an update as a standing item at each committee meeting. It is a role of health scrutiny to not only examine the NHS' proposals for changes to local health services, but also its strategies for consulting on these changes. Harrow PCT recently announced its plans to close two clinics in the borough and re-provide their services at the new health and social care centre on Alexandra Avenue. The sub committee therefore agreed to convene a special meeting to consider Harrow PCT's plans for consultation, with the expectation that it will formally respond to the PCT's proposals in June 2006.

#### *Monitoring previous work and embracing new challenges*

The committee has grown in expertise and influence over the past four years. Our previous work on the Mount Vernon joint overview and scrutiny committee (the first such committee in the country) has helped us to identify and keep track of developments at Mount Vernon this year. The sub committee has noted recommendations made through previous scrutiny work, in particular the review of homecare services. The committee has considered the Homecare Service Strategy, as well as pursuing the specific recommendation of parking permits for key care workers, for which regular updates have again been received.

A new challenge for health scrutiny committees across the country has been the opportunity to provide comments on each NHS trusts' 'Annual Health Checks' - NHS self-assessments against 24 core standards which are submitted to the Healthcare Commission. We have integrated scrutiny with our local ward knowledge by linking the core standard on cleanliness to issues raised by our constituents about wards at Northwick Park Hospital. We received a presentation on healthcare acquired infection (e.g. MRSA) from the hospital trust's Director of Infection Prevention and Control and this information can be fed back to local residents through ward contact.



#### *Pan-London approach*

Work this year has highlighted the particular value of liaison cross-borough. Especially in the health arena, services and issues transcend traditional local authority boundaries and scrutiny needs to act accordingly, as the work of the joint overview and scrutiny committee for the Northwick Park Hospital reconfiguration has demonstrated. There is much scope for sharing information (as has been the case in submitting responses to NHS trusts' Annual Health Checks and issues at Mount Vernon Hospital) and potential pan-London issues on the horizon, especially in relation to healthcare provision in NW London.

### **Key Challenges for 2006/07**

#### *Balancing the demands of a growing work programme*

This year in particular has demonstrated the demands of scrutinising both social care and health, and the need to give equal weight to both areas. As the national agendas continue to evolve, scrutiny must not just react but also pro-actively meet the needs of local communities. It is vital that issues examined this year are carried forward and that the knowledge and expertise garnered by members is harnessed. The committee's workload has placed particular

challenges on us to develop expertise, especially in those areas not traditionally associated directly with council work. There has been a healthy reliance upon the chair and vice-chair to keep other members abreast of developments. In order to further this in the year ahead, the committee should continue to seek technical expertise, not just through the independent advisor but also possibly through specialised consultancy, for example the Centre for Public Scrutiny's health scrutiny support programme. We could engage more with PPI Forums who would bring forward a different perspective on matters.

Given the expanding work programme of the committee, it has been agreed that in 2006/07, we will have six scheduled meetings of the Health and Social Care Committee. We feel that this is the only way to respond to local issues in such a fast-paced area, in a timely fashion and in sufficient depth.

### **Scrutiny of services for children**

This year, for the first time, the Health and Social Care Committee has jointly held meetings with the Lifelong Learning Committee, to consider children's issues. Both committees' remits cover different aspects of services for children. However we felt it vital that the committees should come together to discuss such important cross-cutting matters. This co-ordinated approach has proved fruitful and has been formalised in next year's council meetings calendar (two meetings). There is now a statutory duty for councils to have a director and portfolio holder directly responsible for children's services. We recommend that the council reviews its processes for scrutinising children's services in the light of these statutory changes.

#### *Continuing to forge positive working relationships with partners and the community*

We should continue to build on the solid foundations developed in relationships with the local NHS. Work will need to be progressed next year in harnessing the interest and expertise of local patient and public involvement groups such as the PPI Forums and the Patient Advice and Liaison Services, co-ordinating their work with that of scrutiny so as to achieve holistic outcomes and avoid duplication. Making an impact through a partnership approach is a corporate priority and one that will enable scrutiny to contribute to the well-being of the organisations as well as communities, especially given developments in cross-agency working e.g. Local Area Agreements and Local Strategic Partnerships.

In the past year, we have received and responded to questions from residents concerning aspects of the mental health services across the borough. We are delighted to see the public using scrutiny to raise local issues. Encouraging such engagement is becoming especially important, given the focus in the recent government directives on public involvement, and scrutiny's growing relationship and responsibility to investigate 'local triggers'.

#### *Potential topics for next year's work programme*

Whilst we recognise that the content of the work programme for 2006/07 is in the hands of the new committee, we would like to suggest a number of potential issues for investigation. We would recommend that a number of items on this year's work programme would be incorporated into the programme for 2006/07:

- Quarterly update on the financial position of Harrow PCT
- Bi-annual formal question and answer sessions with the Portfolio Holder for Health and Social Care
- Regular updates on progress and implementation of the action plan for Northwick Park Hospital maternity ward
- Annual Health Checks for local NHS trusts
- Strategic performance reports

- Using one of the committee's slots for in-depth scrutiny work to consider the redevelopment of the Northwick Park Hospital services and site – through a joint overview and scrutiny committee with Brent and Ealing Councils (this has been formally agreed by all three boroughs)
- Above all to monitor the shift, encouraged by Government, from acute care to community based services

In addition, we would strongly advise the new committee to ensure that the following issues are actively considered next year:

- SHA Cancer Strategy
- Developments at Mount Vernon Hospital
- Recommendations from previous scrutiny reviews
- Royal National Orthopaedic Hospital redevelopment plans, in addition to close monitoring of existing performance
- Implementing the White Paper for community services
- Risk of healthcare acquired infection in hospital
- CSCI annual review and star rating for social services
- Annual report of social services complaints
- Work of joint meetings with the Lifelong Learning committee, which now seem to be established, including the implications of the Childcare Bill

In developing the work programme, the scrutiny team will build a list of potential review topics for in-depth scrutiny, including suggestions from members, the public and health partners. Possible examples include the previously mentioned integration of mental health services but also dentistry, practice-based commissioning and sexual health.

#### *Policy development in the forthcoming year*

We would hope that the committee continues to receive briefings from the scrutiny team and departmental officers, to be kept abreast of key policy developments in health and social care and their impact on local services and decisions. This should help to develop the committee's work programme, ensuring it is proactive and also responds to national and local demands.

To reiterate, the committee has responded to NHS consultations and this has helped contribute to the national picture in terms of ensuring Harrow has a voice in policy development. In the forthcoming year, it will be vital that Harrow takes on board the messages in the recent White Paper for community services and considers all its ramifications.

#### **Contributions to committee work**

The committee would like to thank those from the NHS who have contributed significantly to its work over the last year – Andrew Morgan and his team at Harrow PCT, Mary Wells and her team at NWL Hospitals Trust, senior directors from the NW London Strategic Health Authority, Hillingdon Hospitals Trust. An especial thanks goes to Jean Bradlow who has been the advisor to the committee. We are also grateful to many departmental officers across the council especially Penny Furness-Smith (Harrow Council's Director of Adult Services) and the scrutiny officers, especially Nahreen Matlib and Lynne McAdam, as well as those in Brent and Ealing Councils (for their work with the joint committee), in particular Nigel Spalding. We look forward to their continued support and assistance in the coming year.

I have thoroughly enjoyed chairing the two committees relevant to health and social care, and although it has been extremely hard work, it has been highly rewarding.



**Councillor Howard Bluston**

Chair Health and Social Care Sub Committee

**Comment from the Committee's Advisor**

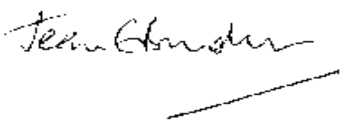
As the advisor to the Health and Social Care Committee, it is the Director of Public Health's responsibility to:

- attend, and participate in, the formal meetings of the Health and Social Care Scrutiny sub committee
- advise committee members about public health matters in the borough in order to assist members to carry out their terms of reference.

Over the last year I have supported the committee to scrutinise plans for service re-development and advised on aspects of quality, service strategy and policy. It has been a busy year and much of the time of the committee has been taken up in responding to consultation plans for service developments which will impact on the Harrow population. It will be important in 2006/07 to ensure that the committee is able to focus on reviewing priority service areas.

The co-ordinated approach to scrutiny of services for children has been very positive and has ensured that both committees take a holistic view of children's services.

I believe that the committee has developed a positive relationship with local NHS organisations and that this has, in turn, led to a greater understanding of the role of scrutiny by NHS organisations. I look forward to developing these relationships further in 2006/07.



**Jean Bradlow**

Director of Public Health (Harrow Primary Care Trust) and Advisor to the Health and Social Care Scrutiny sub committee

## Statistical information

Committee meetings:	4 ordinary, 3 special
In-depth reviews:	1
Review meetings:	7 review meetings
Visits/informal meetings:	2 joint meetings (1 informal, 1 formal) of the Lifelong Learning and Health and Social Care Scrutiny sub committees
Attendance by portfolio holder (number of meetings):	6
Statutory items considered:	0

# REPORTS FROM THE COMMITTEES

## Lifelong Learning

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### Introduction

This has been another active year for the sub committee. The main focus of our work this year has been our review of adult and community learning. We have also received items on:

- Special education needs (SEN) strategy
- Single status implementation in schools
- Annual performance assessment
- Cultural services inspection report and action plan
- Better outcomes for children in care
- Harrow teachers' centre
- People First Education Budget 2006/07 and Medium Term Budget Strategy
- Children and Young People Plan
- Updates on our past reviews
- 14-19 education reforms
- Children's services (jointly with Health and Social Care Scrutiny sub committee)

### Scrutiny reviews

#### **Adult and community learning**

Our review of adult and community learning (ACL) was particularly timely. Nationally, adult and community learning has had a high profile in recent months as services face major future changes in the planning and funding of provision. At the time of writing the report, unknown factors included the funding allocation for 2006/07, the potential for a national redistribution of funding, as well as the construction of a national framework for first step and personal development learning.

A highlight of our review was meeting with adult learners at a variety of Harrow's local centres and talking to them about what had made them decide to undertake courses. Another highlight was meeting with the chief executive of the London West Learning and Skills Council. This meeting enabled us to voice some of our concerns. It also helped us to develop a number of recommendations regarding the future development of adult and community learning in the borough.



*Family Learners*

The review explored ways in which the ACL service in its current form should respond to the national challenges, around the areas of the setting of fees and concessions and communications. The report concluded that the service needs to consider its future direction in

a more fundamental sense in order to ensure that it can best meet the needs of local people in the years to come. The key challenge relates to how to fund services that fall outside of the framework set by the Learning and Skills Council, but provide services that local people can benefit from in order to make Harrow a true learning community. The report was welcomed by the portfolio holder and cabinet and the recommendations accepted in full.

### **Previous reviews**

In the course of 2002-2006 we have undertaken a range of reviews:

- Healthy lifestyles in schools
- Distribution of SEN statements in mainstream schools
- Recruitment and retention of school governors
- Process for SEN statutory assessments, statements of SEN and annual reviews
- 'Phase 3' delegated funding for SEN

We have continued to monitor progress in these areas, culminating in update reports at the last meeting of the sub committee in 2005-06. The area of healthy lifestyles in schools in particular has remained a topical issue.

### **Statutory obligations**

There has been evolution in the plans considered by the sub committee in the last four years. The Public Library Position Statement is no longer a statutory plan, but we have continued to receive updates on library service in the borough, including policies to address recruitment and retention of qualified librarians. Plans such as the Youth Service plan and Early Years and Childcare statutory plans are now part of the Children and Young People plan. As this is a rolling three-year plan with a wide remit, scrutiny will need to have a continuing role in its future development and monitoring.

With the requirement under the Children Act 2004 for a Director of Children's Services and corresponding portfolio holder, we recognise that scrutiny will need to develop to reflect these changes.

During the last four years we have continued to monitor action plans put into place post inspection. In 2005/06 this has included the inspection of cultural services and the inspections of the adoption service and children's services (with Health and Social Care). We believe that scrutiny will have a valuable role to play in preparations for the joint area review scheduled for November 2006.

This year the way in which the sub committee has considered the schools budget has changed slightly. In the past we held a special meeting in December to comment on the schools budget prior to its agreement by cabinet. However, central Government decided to provide ring-fenced funding for schools from the Department of Education and Skills (DfES) to local authorities, rather than general local government funding and council tax. Local authorities retain responsibility for distributing this funding to schools according to local needs and priorities. These changes meant that we commented on the schools budget alongside the People First budget in January rather than separately in December. We believe that close attention will need to be paid to this area in future.

### **Potential areas for further consideration**

This year the sub committee received a reference from the School Organisation Committee requesting that we examine the impact of the white paper Higher Standards Better Schools for



All. We recommended that this item be considered as part of the development of the work programme for the sub committee for 2006/07.

Following a recommendation from cabinet that scrutiny be consulted, the chairs and vice chairs of Lifelong Learning, Health and Social Care and Environment and Economy Scrutiny sub committees received a briefing on changes to SEN transport policy. The chairs and vice-chairs recommended that a further update on progress should be received in 2006/07.

Our review of adult and community learning identified the potential for a review of the council's support to adults with learning disabilities and their carers by the Overview and Scrutiny Committee. The Overview and Scrutiny Committee's Hear/Say community engagement review highlighted the area of the youth service as a potential area for further review. These topics may be areas for review that the sub committee could take up in the new municipal year.

### **Lessons learned**

Over the past four years we believe we have developed our knowledge and strengthened working relationships with all partners. This year in particular we feel we have engaged in a meaningful and constructive dialogue with officers and that this has helped us to develop review recommendations that are relevant and provide a new perspective.

The sub committee has historically received the education service review during the autumn cycle of meetings. However, following the developments of the Every Child Matters agenda, the council is required to submit its Annual Performance Assessment (APA) in May. In future years this will feed into the Children and Young People Plan as well as the joint area review of children's services. Our successors should therefore give consideration to receiving a report on the APA earlier in year in order to allow effective scrutiny, which will help the service to improve and prepare for future inspection.

The nature of performance reporting to the sub committee has evolved and developed during the course of the year. We began by considering the relevant elements of the strategic performance reports but as the year has progressed we have realised the importance of developing a greater understanding of when information key information becomes available during the year - for example key stage three results - and in future we recommend that performance reporting to the sub committee be tailored to reflect these timescales to ensure that it is examined when it is most pertinent.

### **Community involvement**

Community involvement has been an important part of the work of the sub committee. Over the past four years we have held a range of focus groups and also been on visits to talk to local people experiencing services. A local paediatrician was co-opted two of our special education needs reviews and her technical expertise was invaluable. As part of this year's adult and community learning review we met with wide range of local learners at a variety of local learning centres. Three adults undertaking learning in Harrow were co-opted to the review as community experts and we benefited immensely from their input.

### **Future challenges**

The main challenge the sub committee will face relates to the scrutiny of the Every Child Matters agenda and children's services. As the structure stands, this year we have held joint committees with Health and Social Care to undertake scrutiny of children's services. This co-ordinated approach has proved constructive and has been formalised in next year's council

meetings calendar. Consideration will need to be given to the best way to scrutinise children's services as they develop.

The sub committee will also need to balance scrutiny of the burgeoning children's agenda with scrutiny of the other areas falling into its remit including libraries, the arts, leisure, culture and lifelong learning.

Mitzi Green



**Councillor Mitzi Green**

Chair Lifelong Learning Sub Committee

**Adult and community learning scrutiny review**

Councillor Mitzi Green (Chair), Councillor Janet Mote, Councillor Nana Asante, Councillor John Nickolay, Mr David House (Co-optee; Co-Chair, Learning Disability Partnership Board), Mrs Chris Greenhough (Co-optee), Mr Tony Plummer (Co-optee)

**Statistical information**

Meetings:	4 ordinary, 1 special (joint meeting with Health and Social Care)
In-depth reviews:	1
Review meetings:	9
Visits/other:	4 (exclusions meeting; visit to local learning centres (ACL review); SEN transport briefing; children's services/exclusions briefing with Health and Social Care)
Attendance by Portfolio Holder:	1

# REPORTS FROM THE COMMITTEES

## Strengthening Communities

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### Introduction

This year has been busiest ever for Strengthening Communities Scrutiny sub committee. We have conducted an in-depth review of reducing fear of crime in Harrow as well as considering a wide range of varied and stimulating topics including:

- Monitoring the workings of the Harrow Strategic Partnership. We anticipate that the Local Area Agreement (LAA) will continue to be of interest to the sub committee as it develops. We hope that our reducing fear of crime review will contribute to the delivery of the LAA.
- Income deprivation and learning about the joined-up working taking place between the council and the Department for Work and Pensions.
- Receiving performance reporting from the council and the police and also considering the format and nature of future reporting.
- Youth crime prevention and diversionary activity.
- Corporate equalities.
- Regular and thorough consideration of crime and disorder reduction throughout the past four years.

### Scrutiny reviews

#### ***Reducing fear of crime review***

Fear of crime was identified as an area of concern for local people by the council's June 2005 MORI quality of life survey. Residents said fear of crime has a negative impact on quality of life, with 42% stating it has a moderate impact and 24% a high impact. The survey also identified that nearly 79% of residents said that the level of crime was the most important thing in making somewhere a good place to live. 53% of respondents said that the level of crime was the thing most in need of improvement. Harrow is, however, one of the safest boroughs in London in terms of recorded crime and so we undertook a review to find out why and to identify possible solutions.

The highlight of the review was our successful reducing fear of crime conference, which was attended by around sixty local residents. It brought together key figures from the council, police and other agencies to discuss why fear of crime in Harrow is disproportionately high, even though actual crime levels in the borough are around the lowest in London. The conference demonstrated that police visibility is a key issue and we hope that the roll-out of the Safer Neighbourhood teams will help to improve reassurance. Other issues identified included streamlining and improving communications and developing partnership working in the area of fear of crime.



*Identifying priorities at the Reducing Fear of Crime conference*

This important piece of work formed the backbone of the review and enabled us to develop stronger relationships with officers in the council and also in partner organisations. When our work in this area was reported at Harrow's annual meeting with the Metropolitan Police Authority Chair, he commented that Harrow was the first borough he had visited in his programme of visits to all London boroughs that had highlighted the role of scrutiny.

### **Post offices in Harrow**

Post Office Ltd's closure programme has formed a significant plank of our work over the last few years. The climax of our work in this area was a public meeting held in September 2004, which was attended by around fifty local residents who expressed concern about the nine proposed closures to a panel which included Drew McBride (Head of Area, Post Office Ltd) and Kay Dixon (Chairman, Postwatch Greater London). Sadly, in spite of the meeting and a response from the council expressing concern at the proposals, all nine closed. As a result of public concern we decided to meet with Post Office Ltd and Postwatch one year on. At this meeting we were pleased to learn that the improvements to the remaining branches that were promised as part of the closure programme have been made. As a result of the discussion at the meeting, Postwatch undertook to include branches on College Road and Headstone Drive in their mystery shopping exercise (scheduled for spring) to assess queuing because of concerns raised during our meeting. Postwatch also indicated that they had been paying close attention to the South Harrow branch as the improvements promised following the franchising of the branch had not been delivered.

### **Statutory obligations**

Statutory obligations for the sub committee are likely to be strengthened in 2006/07. The Police and Justice bill, before parliament at the time of writing, is set to extend the powers of the Overview and Scrutiny Committee to encompass the work of the crime and disorder reduction partnerships (CDRP). In Harrow, the CDRP takes the form of the Safer Harrow Management Group, a sub-group of the Harrow Strategic Partnership. Scrutiny will play a key role as a check and balance on community safety decision-making, tackling cross cutting issues and supporting partnership working; this is intended to involve the police, fire and PCT, who will have a duty to consider recommendations from scrutiny and report back on action taken or the reasons for not acting. We believe that this will build on relationships that scrutiny has been establishing, particularly through the reducing fear of crime review.

A last resort mechanism called the 'community call for action' is also proposed, whereby ward councillors will be expected to use informal methods to seek resolutions to community safety problems raised by local people. The scrutiny committee is expected to have a role in difficult cases that have not been resolved through the informal mechanisms available to the ward councillors.

### **Ongoing work of the committee and other activity**

A key area where we have been able to have impact concerned the proposed closure by the Greater London Magistrates Court Authority (GLMCA) of the Harrow Magistrates Court. We have considered and co-ordinated efforts by local agencies including the Magistrates' Court itself, the council, police and various stakeholders, in developing an appeal against the decision to close the local facility, which was successful.

We have also had an ongoing interest in provision to address domestic violence and hate crime; in our first year a reference was made to cabinet indicating our support for the creation of a full time permanent domestic violence officer post, which was agreed.

Areas for development in future include performance reporting. We have recently had a very constructive discussion with officers in relation to the monitoring of crime and community safety statistics, which we hope will lead to the development of a scorecard for examination by the sub committee; this will enable us to strengthen our performance monitoring role, a role which will become increasingly important when our statutory responsibility is extended to the crime and disorder reduction partnership (CDRP).

### **Potential areas for future consideration**

Within the scrutiny annual satisfaction survey the area of anti-social behaviour was identified as a potential topic for review from the perspective of analysing its causes, effects and solutions. We also recommend that relationships with the voluntary sector be considered in 2006/07 as detailed below.

### **Community involvement**

Community involvement has been a major aspect of our work on reducing fear of crime and also on post offices in Harrow. Community input has helped to inform our recommendations.

In our first year, we received presentations from the Harrow Association of Voluntary Service and the Harrow Association of Disabled People. In addition, as chair, I met informally with a cross section of community and voluntary sector agencies in order to further identify their needs. We have built on this foundation over the last few years. Unfortunately, due to our commitment to undertake the reducing fear of crime review and the post offices work we were unable to undertake our planned review of the effectiveness of the council in supporting the capacity of the voluntary sector to attract funding. In the light of this and the Overview and Scrutiny Committee's Hear/say review of community engagement, we recommend that relationships with the voluntary sector be considered in 2006/07.

### **Lessons learned over the past four years**

As this is our final annual report, this represents a valuable opportunity to consider the way in which the work has evolved. Four years ago we were faced with a new area of work and over the past four years we believe we have developed our knowledge about the areas within our remit. In the last year in particular we believe that this has helped to increase our effectiveness in addressing issues of relevance locally. We have tried to focus on areas of strategic importance to our partners and believe we have developed constructive relationships with officers both inside and outside of the council.



### **Councillor Keekira Thammaiah**

Chair Strengthening Communities Sub Committee

### **Reducing fear of crime scrutiny review**

Councillor Thammaiah (lead), Councillor Seymour (deputy lead), Councillor Nana Asante, Councillor Ann Groves, Councillor Lavingia, Councillor Janet Cowan, Councillor Mrs Kinnear, Councillor Vina Mithani

### **Statistical information**

Meetings:	4 ordinary
In-depth reviews:	1
Review meetings:	7
Visits/other:	2 (post offices one-off meeting; fear of crime conference)

# REPORTS FROM THE COMMITTEES

## Call-In

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The call-in process enables decisions that have been taken but not yet implemented by the cabinet, portfolio holders or officers to be examined by members of the Call-In sub committee. Six or more members must notify the Director of Legal Services of their 'call-in' and they must specify the grounds upon which the call in is being made. These are:

- Inadequate consultation has been undertaken with stakeholders prior to the decision
- The absence of adequate evidence on which to base a decision
- The decision is contrary to the policy framework or contrary to or not wholly in accordance with the budget framework
- The action is not proportionate to the desired outcome
- There is a potential human rights challenge
- There has been insufficient consideration of legal and financial advice

The call in sub committee can reach one of the following conclusions:

- The challenge to the decision should be taken no further and the decision should be implemented
- The decision is contrary to the policy framework or contrary to or not wholly in accordance with the budget framework and should therefore be referred to the council
- The matter should be referred back to the decision taker for reconsideration.

The Call-In sub committee met three times during 2005 – 06

In *May 2006* the sub committee considered the decision of the Leader of the council that the council would not object to the Lands Tribunal for the release of a restrictive covenant in respect of property in Brooks Hill. The Leader's decision was called in on three grounds:

- Inadequate consultation with stakeholders prior to the decision
- The absence of evidence upon which to base a decision
- Insufficient consideration of legal and financial advice

Concern was expressed that the decision should not have been made through one cabinet member and that the issue should have been considered by cabinet as a confidential item where a detailed examination of the potential financial implications of the decision could have been properly considered. However, it was accepted that the release of the covenant would not have a negative impact on the council's property holding.

Whilst it was agreed that there had been adequate consultation on the matter, in that the council was not obliged to consult with local residents and had thus consulted with ward councillors as their representatives, members commented that it would have constituted good practice and courtesy to have extended consultation to include local people.

The grounds for the call-in were rejected and the sub committee recommended that the decision be implemented.

In *October 2005* the sub committee considered the decision of the Portfolio Holder for Environment and Transport to implement a controlled parking zone in Stanmore. The decision had been called in on three grounds:

- The absence of adequate evidence on which to base a decision
- The action was not proportionate to the desired outcome
- A potential human rights challenge

The Director of Corporate Governance advised the sub committee that a decision may only be subject to the call-in procedure once and that sub-committee needed to decide whether the decision now being considered was the same decision as that previously considered on 11 January 2005. The original call-in was upheld and referred back to the portfolio holder. The Leader of the council upheld this decision and called for further consultation. This had resulted in further consultation to include the option of a yellow-line parking scheme, which the majority of residents had subsequently supported. Despite this, the final decision on the scheme had been to implement a residents' parking scheme.

Members expressed their concern over the evidence upon which this decision had been made pointing out that, whilst officers felt that some residents might be inconvenienced by the yellow line scheme, clear evidence of this had not been provided. It was also felt that the view of the majority of residents had not been given sufficient prominence in the officer's report.

The sub committee therefore resolved:

- To uphold the call in of paragraph four of the decision on the grounds of the absence of adequate evidence upon which to base a decision and that this part of the decision should be referred back to the portfolio holder;
- To implement the remainder of the decision
- To seek clarification of the provisions of the Overview and Scrutiny procedure 22.1 (stating that a decision can only be subject to call-in procedure once) from the Constitutional Working Party

Also in *October 2005*, the Call-In sub committee considered the call-in of the decision of the Portfolio Holder for Environment and Transport to implement a congestion relief scheme in Roxeth Green Avenue. This decision had been called in on three grounds:

- The absence of adequate evidence on which to base a decision
- The action was not proportionate to the desired outcome
- A potential human rights challenge

The scheme was designed to address local concerns regarding traffic congestion and had been the result of two consultation exercises. Despite concerns that the proposed scheme would have a detrimental impact on road safety, it was felt that the report contained sufficient detail upon which to base a decision. It was also noted that the scheme was attempting to deliver a balance between reducing congestion and avoiding dangerous speed increases and that residents were happy with it.

The sub committee rejected the grounds for the call-in and resolved that the decision be implemented.

In *January 2006* the Call-In sub-committee considered the cabinet decision to dissolve the Wealdstone Regeneration Advisory Panel (WRAP). This decision was called-in on the grounds of inadequate consultation with stakeholders prior to the decision.



The signatories felt that the decision to dissolve WRAP had not been adequately discussed by the panel prior to the decision being referred to cabinet and that the process had been hastily rushed through without proper consultation with members or stakeholders. Some members felt that the consultation and reporting process had been flawed, others felt that consultation had taken place and that whilst the report to wind up WRAP might have contained more detail, sufficient evidence had been provided upon which to base the decision.

It was resolved that the grounds for call-in be rejected and the decision implemented.

With regard to this decision, it was also noted that the Portfolio Holder for Planning, Development and Housing and the Portfolio Holder for Communications, Partnership and Human Resources had not been present at the meeting due to the tight timetable to which the call-in process is subject. It was suggested that this creates difficulties for the members of the sub-committee who would have appreciated information on this subject from the relevant portfolio holders. In order to try to remedy this for the future, the Call-In sub committee resolved to ask the Constitutional Review Working Group to review the appropriateness of the timescale to which the Call-In sub committee operates.

Mitzi Green



**Councillor Mitzi Green**  
Chair, Call-In sub committee

# SCRUTINY IN CONTEXT

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This section provides an outline of the overall structure of the Overview and Scrutiny function in Harrow and its terms of reference and responsibilities. A structure chart showing the political structure of scrutiny is attached as Appendix One.

## **Terms of reference – the purpose of scrutiny**

“The guiding principle for the work of the Overview and Scrutiny Committee and Scrutiny Sub Committees is that it should be consensual and positive. The emphasis of the work should be on making a proactive and positive contribution to the development of policy and the discharge of the council’s functions.”<sup>1</sup>

The committees are responsible for:

- Supporting the strategic policy development function – for the council and with our partners
- Service reviews designed to improve how we deliver services to local people
- Reviewing and scrutinising decisions taken in respect of any of the council’s functions
- Investigation of issues of concern to local people
- Consideration of the council’s Forward Plan
- Scrutiny of decision-making processes
- Consideration of monitoring reports

## **How We Work**

The general function of the scrutiny committees are to review performance and make reports to the council and the executive, to support policy development and to scrutinise performance and budgets in the areas for which they have specific responsibility. There are five scrutiny committees and their specific areas of responsibility are:

### *Overview and Scrutiny committee*

- General responsibility for the overall function of scrutiny
- Examination of statutory plans, corporate policy and budget issues
- Overall council performance
- Major cross-cutting issues
- Corporate governance

### *Environment and Economy sub committee*

- Economic and physical regeneration
- Planning
- Housing
- Traffic and transportation
- Licensing
- Environmental health
- Parks and open spaces
- Environmental maintenance

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<sup>1</sup> Constitution of the London Borough of Harrow, Article 6

#### Health and Social Care sub-committee

- Social care (residential, field and domiciliary) for adults and children
- Youth offending
- Health services

#### *Lifelong Learning sub committee*

- Education functions of the council – inside and outside of school
- Education provided by other agencies
- Cultural services – museums, art galleries, theatres
- Libraries
- Sport for all
- Youth and community services

#### *Strengthening Communities sub committee*

- Community planning process
- Community safety/crime and disorder policies
- Better Government for Older People
- Equalities
- Social inclusion
- Grants policy
- Anti-poverty policy

The 'Principles of Scrutiny' adopted in October of 2005, formalised the development of the scrutiny function over the last four years. In particular, the principles highlighted the growing opportunities for scrutiny as envisaged in government legislation. The principles sought to clarify a number of points. In particular, they define the challenging relationship between scrutiny councillors, members of the executive and officers. The document points out that:

*'Scrutiny councillors and officers must maintain their independence but must at the same time develop a co-operative and constructive relationship if the full benefits of the scrutiny process are to be realised. Cabinet remains solely responsible for the determination of the policies and priorities of the council and senior managers and staff will deliver these on their behalf. However, the role of scrutiny as a challenge to the power of the executive and the value that this can bring to the authority as a whole must be agreed, safeguarded and promoted. At the same time, scrutiny must arrange its purpose and processes in such a way as to be able to deliver these potential benefits'.*

We have, we feel, made great strides in delivering this complex working relationship and have developed a constructive yet challenging working relationship with members of the council's political and managerial leadership.

Of equal importance has been the work we have undertaken to ensure that scrutiny resources are targeted at those issues of the highest importance to the council and local people in order to provide maximum benefit. We have agreed that all of our future review topics will:

- Be identified as a particular concern to residents (residents surveys/consultation exercises) and not necessarily solely within the remit of the council
- Focus on an area of poor performance as identified from our performance management information
- Focus on areas of apparent high cost and poor performance

- Focus on the delivery of improved outcomes for local people not simply the internal structures or functions of local organisations
- Assist the council to achieve its corporate priorities
- Be requested by either senior officers or cabinet as a problematic area where the resources of overview and scrutiny would help identify service solutions
- Focus on the source of a high level of complaints
- Focus on an area in which the council wishes to develop policy
- Focus on an area in which government legislation is being developed and which would benefit from early consideration by overview and scrutiny committee/sub committees
- Be informed by the programme of inspection work to be undertaken by external inspectors in order to support rather than duplicate investigation (if appropriately programmed scrutiny could assist in identifying problematic areas, identifying solutions and thus contributing towards improved inspection score)
- Be informed by services own service improvement programme, adding value to this process by offering support to service investigations rather than duplicating.

In a further important development, we have recognised the need to represent the interests of our residents by challenging not only the performance of the council but of our partners – particularly where their performance has an impact on how the council itself is able to deliver services. The introduction of Local Area Agreements has provided the impetus for this and forthcoming legislation (discussed in more detail in the Overview and Scrutiny Committee section above) has confirmed the council’s authority in this area.

# CONCLUDING THOUGHTS

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This has been another excellent year for scrutiny, one in which we have continued to rise to the challenges placed on scrutineers specifically and the council in general. We have refined our processes and enhanced our reputation both inside and outside of the organisation by offering our political and managerial colleagues an independent challenge to the council's performance. Much remains to be done. The arena for public scrutiny is expanding hugely and we anticipate the demands made on our resources, our political and managerial colleagues and our partners to respond to the concerns of residents will continue to increase. We wish the councillors who have the privilege of picking up this responsibility every success during their period in office.

**Members of the Overview and Scrutiny Committee**

# CONTACT THE SCRUTINY TEAM

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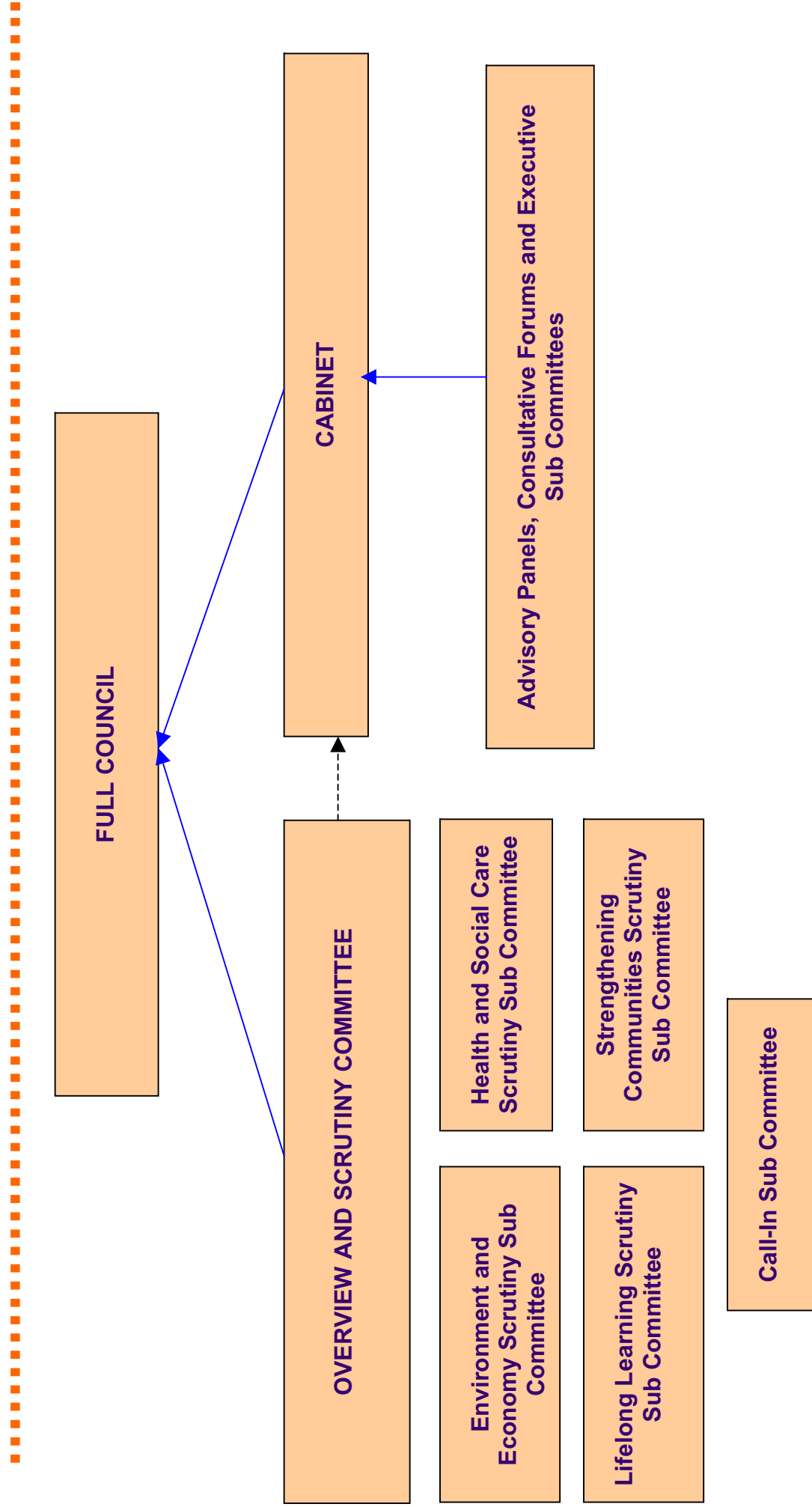
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**The Scrutiny Team in Harrow is:**

- Lynne McAdam, Scrutiny Service Manager
- Nahreen Matlib, Senior Scrutiny Officer
- Heather Smith, Scrutiny Officer
- Ed Hammond, Scrutiny Officer
- Betty Mdoe, Review Administrator
- Chris Thomas, Assistant Review Administrator

# Appendix One – Governance Structures



# Appendix Two – Membership of the Overview and Scrutiny Committee and the Scrutiny Sub Committees 2005-06

## Overview and Scrutiny Committee

	Labour 5	Conservative 5	Independent 1	Liberal Democrat 0
<b>Members</b>	<b>Blann</b>	<b>Jean Lammiman (Chair)</b>	<b>Ingram</b>	
	<b>Bluston Gate (Vice Chair)</b>	<b>Osborn Pinkus</b>		
	<b>Mitzi Green Thammaiah</b>	<b>Seymour Versallion</b>		
<b>Reserve Members</b>	Mrs R Shah Nana Asante Ann Groves Lavingia Toms Omar	Myra Michael Mrs Champagnie Mary John John Nickolay Janet Mote		

## Environment and Economy Sub Committee

	Labour 4	Conservative 3	Independent 0	Liberal Democrat 0
<b>Members</b>	<b>Blann (Chair)</b>	<b>Arnold (Vice- Chair)</b>		
	<b>Lavingia Anne Whitehead Miles</b>	<b>Knowles Seymour</b>		
<b>Reserve Members</b>	Dharamrajah Ann Groves Mrs Rekha Shah Thammaiah	Nickolay Janet Mote Vina Mithani		



### Health and Social Care Sub Committee May 2005 – September 2005

	Labour 4	Conservative 3	Independent	Liberal Democrat
<b>Members</b>	<b>Bluston (Chair)</b>	<b>Myra Michael (Vice Chair)</b>		
	<b>Ann Groves Lavingia</b>	<b>Vina Mithani Mrs Joyce Nickolay</b>		
	<b>Mrs Rekha Shah</b>			
<b>Reserve Members</b>	<b>Blann Mitzi Green Toms Gate</b>	<b>Jean Lammiman Pinkus Mary John</b>		

### Health and Social Care Sub Committee September 2005 – March 2006

	Labour 4	Conservative 3	Independent 0	Liberal Democrat 0
<b>Members</b>	<b>Bluston (Chair)</b>	<b>Myra Michael (Vice Chair)</b>		
	<b>Gate Lavingia</b>	<b>Vina Mithani Mrs Joyce Nickolay</b>		
	<b>Mrs Rekha Shah</b>			
<b>Reserve Members</b>	<b>Blann Mitzi Green Toms</b>	<b>Jean Lammiman Pinkus Mary John</b>		

### Health and Social Care Sub Committee March 2006 – May 2006

	Labour 4	Conservative 3	Independent 0	Liberal Democrat 0
<b>Members</b>	<b>Bluston (Chair)</b>	<b>Myra Michael (Vice Chair)</b>		
	<b>Gate Lavingia</b>	<b>Vina Mithani Mrs Joyce Nickolay</b>		
	<b>Mrs Reka Shah</b>			
<b>Reserve Members</b>	<b>Blann Mitzi Green Toms Foulds</b>	<b>Jean Lammiman Pinkus Mary John</b>		

## Lifelong Learning Sub Committee

	Labour 5	Conservative 5	Independent 0	Liberal Democrat 1
<b>Members</b>	Mitzi Green (chair) Nana Asante Gate Kinsey Omar	Janet Mote (vice- chair) Mary John Jean Lammiman Nickolay Osborn		
<b>Reserve Members</b>	Blann Lavingia Anne Whitehead Dharmarajah Mrs R. Shah	Vina Mithani Anjana Patel Mrs Bath Kara		

### Voting Co-opted Members:

- (1) Two representatives of Voluntary Aided Sector - Mrs J Rammelt/Reverend P Reece
- (2) Two representatives of Parent Governors (2 year appointments 2002/03 – 2003/04:- Mr H. Epie (Primary)/Mr R. Sutcliffe (Secondary)

## Strengthening Communities Sub Committee – May 2005 – July 2005

	Labour 5	Conservative 5	Independent 0	Liberal Democrat 1
<b>Members</b>	Thammaiah (Chair) Dharmarajah Gate Lavingia	Seymour (Vice Chair) Janet Cowan Vina Mithani		
<b>Reserve Members</b>	Toms Lent Ann Groves Mrs Rekha Shah	Osborn Kara Anjana Patel		

## Strengthening Communities Sub Committee – July 2005 – May 2006

	Labour 4	Conservative 3	Independent 0	Liberal Democrat 1
<b>Members</b>	Thammaiah (Chair) Dharmarajah Ann Groves Lavingia	Seymour (Vice Chair) Janet Cowan Vina Mithani		
<b>Reserve Members</b>	Toms Lent Gate Mrs Rekha Shah	Osborn Kara Anjana Patel		

## Call In Sub Committee

	Labour 4	Conservative 3	Independent 0	Liberal Democrat 1
<b>Members</b>	Mitzi Green Gate Thammaiah	Jean Lammiman Osborn		
Reserve Members	Blann Ann Groves Mrs Reka Shah	Seymour Versallion Romain		

# Appendix Three – Satisfaction Survey

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## Councillors and Co-Optees

17 responses were received

- Q1 Did you understand what would be expected of you  
Yes 71%  
No 29%
- Q2 Were you provided with sufficient information  
Too much 0%  
Right amount 100%  
Too little 0%
- Q3 Were you able to contribute to the development of the scope  
Fully 47%  
Partially 29%  
Not much 18%
- Q4 Were you consulted on times of meetings and were they convenient for you  
Yes, Yes 53%  
Yes, no 47%
- Q5 Did you receive adequate notice of meetings  
Yes, in all cases 82%  
Yes, in most cases 6%  
Yes, in some cases 12%
- Q6 Could you contribute to planning of off-site visits  
Yes 53%  
No 24%  
Not applicable 18%
- Q7 Did you have sufficient information to engage with witnesses  
Yes 94%  
No 6%
- Q8 Did you receive sufficient background information for each meeting  
Yes, all 65%  
Yes, most 35%
- Q9 Did you receive agendas and minutes in a timely fashion  
Yes, all 59%  
Yes, most 29%  
Yes, some 12%
- Q10 Were you able to participate in the development of the recommendations  
Yes 88%

No 12%

Q11 Was there sufficient time to develop the recommendations

Yes 94%

No 6%

Q12 Was the reporting process fully explained

Yes 76%

Partially 24%

Q13 Did you have sufficient opportunity to contribute to the report

Yes 94%

No 6%

### **External Witness**

6 responses were received

Q1 How well was the concept of scrutiny explained to you

Very well 33%

Well 33%

No reply 33%

Q2 Were you informed of the meeting far enough in advance

Yes 83%

No 17%

Q3 Did you receive background information far enough in advance

Yes 67%

No 33%

Q4 Did the conduct of the meeting allow you to provide information to members

Fully 67%

Partially 17%

Q5 Do you think that members of the group had been adequately briefed

Fully 33%

Partially 50%

Not especially 17%

Q6 Were you informed as to how your evidence would feed into the review process

Yes 67%

No 33%

Q7 Would you participate in a scrutiny review again?

Yes 100%

### **Officers**

4 responses were received

Q1 The quality of the final recommendations was good

Agree 75%

Don't know 25%

- Q2 The review was useful in contributing towards policy and strategic development in the area being scrutinised  
Agree 50%  
Don't know 50%
- Q3 The review engaged fully with the key issues in the service area and was focussed and targeted  
Agree 50%  
Don't know 25%  
Disagree 25%
- Q4 I was given the opportunity to contribute effectively to the review  
Agree 50%  
Don't know 50%
- Q5 I was kept informed at all relevant stages with the conduct of the review  
Agree 50%  
Don't know 50%
- Q6 On the basis of this review, I am keen to work with scrutiny again.  
Agree 75%  
Don't know 25%

Please call the number below for a large print version of this document, or a summary of this document in your language.

- Albanian** Njëqoftëse gjuha Angleze nuk është gjuha juaj e parë, dhe keni nevojë për përkthimin e informatave të përmbajtura në këtë dokumentë, ju lutemi kontaktoni numërin dhënë.
- Arabic** اذا كانت الانجليزية ليست لغتك الاولى وتحتاج لترجمة معلومات هذه الوثيقة، الرجاء الاتصال على رقم
- Bengali** যদি ইংরেজি আপনার মাতৃভাষা না হয় এবং আপনি যদি এই প্রচারণার তথ্যগুলোর অনুবাদ পেতে চান তাহলে যে টেলিফোন নম্বর দেওয়া আছে সেখানে দয়া করে যোগাযোগ করুন।
- Chinese** 如果你主要說用的語言不是英語而需要將這份文件的內容翻譯成中文，請打註明的電話號碼提出這個要求。
- Farsi** اگر انگلیسی زبان اول شما نیست و شما نیاز به ترجمه اطلاعات موجود در این مدرک را دارید، لطفاً با شماره داده شده تماس بگیرید.
- Gujarati** જો ઈંગ્લિશ તમારી પ્રથમ ભાષા ન હોય અને આ દસ્તાવેજમાં રહેલ માહિતીનો તરજૂમો (ટ્રાન્સલેશન) તમને જોઈતો હોય તો કૃપા કરી જણાવેલ નંબર ઉપર ફોન કરો.
- Hindi** यदि आपको अंग्रेजी समझ नहीं आती और आपको इस दस्तावेज़ में दी गई जानकारी का अनुवाद हिन्दी में चाहिए तो कृपया दिए गए नंबर पर फोन करें।
- Panjabi** ਜੇ ਤੁਹਾਨੂੰ ਅੰਗਰੇਜ਼ੀ ਸਮਝ ਨਹੀਂ ਆਉਂਦੀ ਤੇ ਤੁਹਾਨੂੰ ਇਸ ਦਸਤਾਵੇਜ਼ ਵਿਚ ਦਿੱਤੀ ਗਈ ਜਾਣਕਾਰੀ ਦਾ ਤਰਜਮਾ ਪੰਜਾਬੀ ਵਿਚ ਚਾਹੀਦਾ ਹੈ ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਦਿੱਤੇ ਗਏ ਨੰਬਰ ਤੇ ਫੋਨ ਕਰੋ।
- Somali** Haddii Ingiriisku uusan ahayn afkaaga koowaad aadna u baahan tahay turjumidda xog ku jirta dokumentigan fadlan la xiriir lambarka lagu siiyey.
- Tamil** ஆங்கிலம் உங்கள் தாய்மொழியாக இல்லாதிருந்து இப்பத்திரத்திலிருக்கும் தகவலின் மொழிபெயர்ப்பு உங்களுக்கு தேவையப்பட்டால் தயவுசெய்து தரப்பட்ட தொலைபேசி எண்ணில் தொடர்பு கொள்ளவும்.
- Urdu** اگر انگریزی آپ کی مادری زبان نہیں ہے اور آپ کو اس دستاویز میں دی گئی معلومات کا اردو ترجمہ درکار ہے، تو براہ کرم دیے گئے نمبر پر رابطہ کریں۔

020 8420 9387



**Scrutiny**

Scrutiny is an independent, councillor-led function  
working with local people to improve services



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**ITEM 14**

**ORDINARY COUNCIL  
27 APRIL 2006**

**HONORARY ALDERMEN**

**REPORT OF THE CHIEF EXECUTIVE**

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Meeting:	COUNCIL
Date:	27 APRIL 2006
Subject:	HONORARY ALDERMEN
Responsible Officer:	CHIEF EXECUTIVE
Contact Officer:	J Portillo, Senior Professional Corporate Governance
Portfolio Holder:	The Leader of the Council
Key Decision:	No
Status:	Part I

### **Section 1: Summary**

#### **Decision Required**

To agree that a Special Council Meeting be convened to consider bestowing the honour of Honorary Alderman on Councillor Keith Toms upon his retirement from the Council as at 8 May 2006.

#### **Reason for report**

The intention to mark in an appropriate manner the long service to the Authority of Keith Toms (32 years from election in May 1974) who has served as Deputy Mayor and Mayor of the Borough.

#### **Benefits**

Celebrates achievement and dedicated public service, providing an example of merit and reward in the civic life of the Borough.

## Cost of Proposals

Depends on the options which might be followed but is estimated at under £1,000 direct expenditure (related to the commissioning of a framed, Illuminated Scroll) other than the associated democratic costs (e.g. convening a Special Council, printing and paper costs, etc.) which would be contained within existing budgets. (Please refer to financial comments) .

## Risks

None that are identifiable

## Implications if recommendations rejected

No direct implications for the Authority.

## Section 2: Report

### Introduction and Statutory Provisions

2.1 I have been asked to report on the options open to the Council for a means of recognising the services given to the Council by Councillor Keith Toms, who will have achieved 32 years' continuous service as a Councillor in May 2006. Councillor Toms was Deputy Mayor in 1996/97 and elected Mayor of the Borough for the Municipal Year 1997/98.

2.2 Section 249(1) of the Local Government Act 1972 provides as follows:

“A principal Council may, by a resolution passed by not less than two-thirds of the members voting thereon at a meeting specially convened for the purpose with notice of the object confer the title of honorary aldermen on persons who have in the opinion of the Council rendered eminent services to the Council as past members of that Council but who are not then Councillors of the Council.”

Section 249(6) states:

“The Council of a London Borough or a district which has the status of a city borough or royal borough may spend such reasonable sum as they think fit for the purpose of presenting an address or a casket containing an address to a person upon whom they have conferred the title of honorary alderman or admitted to be an honorary freeman of the city borough or royal borough.”

### Precedent

2.3 The Council has previously conferred the title of Honorary Alderman on one occasion, in July 1986, on former Conservative Group Councillors Frank Rees and Nan Rees. Each had served as Deputy Mayor and Mayor. Frank Rees had served a total of 26 years as a member (as well as 3 years as an Alderman, prior to that formal office being abolished). Nan Rees had served for 22 consecutive years as a Councillor. Both Mr and Mrs Rees have subsequently died and accordingly the honour of Honorary Alderman has currently lapsed in Harrow.

## **Process**

- 2.4 It will be noted that were the honour of Honorary Aldermen to be conferred on Councillor Toms this would be with effect from the date of his retirement as a Councillor. It is understood that Councillor Toms intends to retire in May 2006.
- 2.5 If the Authority wish to proceed on this matter a special meeting of the Council would be required. On the previous occasion that the Council conferred honorary titles the special meeting was held immediately before an ordinary meeting of the Council.
- 2.6 The preparation of a framed illuminated address and/or the obtaining of a casket could well take of the order of six to eight weeks.

## **Status of an Honorary Alderman**

- 2.7 The following are examples of privileges that could go with the rank of Honorary Alderman:
- (i) To enjoy the courtesy title of Alderman and to be so addressed.
  - (ii) To attend as a guest meetings of the Council and to have a seat reserved for this purpose.
  - (iii) To receive a copy of the Council Summons.
  - (iv) To receive invitations to all civic and social events to which Members of the Council are being invited.
  - (v) To walk in civic processions in a position immediately senior to serving Members.

## **Decisions**

- 2.8 Council is invited to consider the following:
- (i) Whether it is wished to bestow the honour of Honorary Alderman.
  - (ii) Further to (i), calling a Special Council Meeting.

[A draft provision has been indicated in the Calendar of Meetings 2006/07 for a Special Council Meeting to be held on Wednesday 31 May 2006, to precede the Extraordinary Council Meeting on that evening. A subsequent presentation ceremony appropriately could be held to precede the Council Meeting on 13 July 2006.]

### 2.9 **Consultation**

This matter has appropriately been the subject of consultation with Group Leaders and the individual Councillor concerned.

### 2.10 **Financial Implications**

The Director of Financial and Business Strategy advises that there is no specific provision in the revenue estimates for any expenditure arising from this matter, and thus a supplementary estimate would be required if the costs cannot be contained

within the Civic Expenses budget provision. Council may consider it appropriate that any supplementary estimate be financed from the Contingency Provision.

2.11 Legal Implications

Included in the report.

2.12 Equalities Impact

Not applicable to this report, concerning the proposed recognition of an individual Member's service.

2.13 Section 17 Crime and Disorder Act 1998 Considerations

Not applicable.

**Section 3: Supporting Information/Background Documents**

Background Documents: None.

**ITEM 15**

**ORDINARY COUNCIL  
27 APRIL 2006**

**DECISIONS TAKEN UNDER THE URGENCY  
PROCEDURE AND USE OF THE SPECIAL  
URGENCY PROCEDURE**

**REPORT OF THE DIRECTOR OF CORPORATE  
GOVERNANCE**

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Meeting:	Council
Date:	27 April 2006
Subject:	Decisions taken under Urgency Procedure by Portfolio Holders/Leader and Cabinet and Use of Special Urgency Procedure
Responsible Officer:	Director of Corporate Governance
Contact Officer:	Alison Brooker (Cabinet Co-ordinator) Tel: 020 8424 1266 Daksha Ghelani (Democratic Services Officer) Tel: 020 8424 1881 <a href="mailto:alison.brooker@harrow.gov.uk">alison.brooker@harrow.gov.uk</a> <a href="mailto:daksha.ghelani@harrow.gov.uk">daksha.ghelani@harrow.gov.uk</a>
Portfolio Holder:	Strategic Overview and External Affairs/Leader of the Council
Key Decision:	No
Status:	Public (Part I)

### **Section 1: Summary**

#### **Decision Required**

1.1 That the urgent decisions taken by the Portfolio Holders and the Leader, as set out at Appendix A to the report, be noted.

REASON: These decisions were regarded as urgent for the reasons set out in Appendix A of this report.

1.2 To note that use of the Urgency Procedure was not exercised in relation to the reports to Cabinet since the 23 February 2006 Council meeting.

REASON: In accordance with paragraph 23.6 of the Overview and Scrutiny Procedure Rules, decisions taken as a matter of urgency must be reported to the next available meeting of the Council together with the reasons for urgency.

## **Reason for report**

To provide a summary of the urgent decisions taken by the Portfolio Holders, the Leader and Cabinet and the use of the special urgency procedure since the 23 February 2006 meeting of the Council, as required by the Constitution.

## **Benefits**

As per the individual reports to the relevant Portfolio Holder/Cabinet.

## **Cost of Proposals**

As per the individual reports to the relevant Portfolio Holder/Cabinet.

## **Risks**

As per the individual reports to the relevant Portfolio Holder/Cabinet.

## **Implications if recommendations rejected**

This report is for noting only.

## **Section 2: Report**

### **2.1 Brief History**

In accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of the Council's Constitution, any Executive decisions taken as a matter of urgency are to be reported to the next available meeting of the Council.

This report sets out the details of those decisions taken as a matter of urgency since the Council meeting held on 23 February 2006.

### **2.2 Options considered**

As per the individual reports to the relevant Portfolio Holder and reports to Cabinet.

### **2.3 Consultation**

Where appropriate, Ward Councillors, outside organisations and interested parties were consulted on individual reports considered by the Portfolio Holders and reports to Cabinet.

Where decisions were deemed to be urgent the agreement of the Chair of the Overview and Scrutiny Committee or, in her absence, the Mayor was obtained that the decision would not be subject to the call-in procedure.

### **2.4 Financial Implications**

As per the individual reports to the relevant Portfolio Holder/ Cabinet.

## 2.5 Legal Implications

As per the individual reports to the relevant Portfolio Holder/ Cabinet.

## 2.6 Equalities Impact

As per the individual reports to the relevant Portfolio Holder/ Cabinet.

### **Section 3: Supporting Information/ Background Documents**

#### Supporting Information

Appendix A

#### Background Documents

Officer Reports considered by the Portfolio Holder and Cabinet  
Portfolio Holder Decision Notices  
Council's Constitution

Any persons wishing to inspect the background papers should telephone 020 8424 1881.

The officer reports considered by the relevant Portfolio Holder or Cabinet in respect of the items listed below are exempt from inspection by the public on the grounds that they contain confidential information under the specified paragraph of Part I of Schedule 12a to the Local Government Act 1972 (as amended).

<b>Subject</b>	<b>Paragraph(s)</b>
Grant of Lease for Centenary Park Pavilion, Canons Park Lodge and Flat 155 Uxbridge Road (PHD 092/05)	Exempt by virtue of paragraph 3 of Part 1 Schedule 12A of the Local Government Act 1972 (as amended) as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).
Provision of a loan to the Harrow Weald Common Conservators (HWCC) (PHD 093/05)	The officer report is exempt by virtue of paragraph 3 of Part 1 Schedule 12A of the Local Government Act 1972 (as amended) as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).
Award of Contract for Banking Services (PHD 101/05)	Exempt from publication by virtue of paragraph 3 of Part 1 Schedule 12A of the Local Government Act 1972 (as amended) as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).

Award of Contract for Debit and  
Credit Card Services  
(PHD 102/05)

Exempt from publication by virtue of paragraph 3 of Part 1 Schedule 12A of the Local Government Act 1972 (as amended) as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).

Review of fee rates for older  
people in residential and nursing  
care placed under spot contracts  
from 1 April 2006 until 31 March  
2007  
(PHD 105/05)

Exempt from publication by virtue of paragraph 3 of Part 1 Schedule 12A of the Local Government Act 1972 (as amended) as it contains information relating to the financial or business affairs of any particular person including the Council.

**Urgent Decisions**

Portfolio Holders and the Leader have taken the following urgent decisions since Council on 23 February 2006: -

<b>Subject</b>	<b>Decision Maker (Portfolio Holder/Leader)</b>	<b>Reason for Urgency</b>
Replacement Weighbridge at the Civic Amenity Site (Ref: PHD 083/05)	Environment and Transport	The bridge had deteriorated faster than anticipated and required replacement at that time in order to protect income streams and to ensure that operational capacity was maintained.
ODPM Consultation Paper (Ref: PHD 086/05)	Strategic Overview and External Affairs	To enable the deadline for the response to be met.
Street Lighting: Bid for Private Finance Initiative (PFI ) Funding Expression of Interest (EOI) to Department for Transport (DfT) (Ref: PHD 087/05)	Leader	To meet the deadline for submission of the EOI.
LMS Formula Changes and Schools' Budget 2006/07 and 2007/08 – Delegated Decision (Ref: 090/05)	Education and Lifelong Learning	To advise schools of their budgets for 2006-07 in time to enable their preparation for next year.
Grant of Lease for Centenary Park Pavilion, Canons Park Lodge and Flat 155 Uxbridge Road (Ref: PHD 092/05)	Leader	To enable Safer Neighbourhood locations to be in place by 31 March 2006.
Provision of a loan to the Harrow Weald Common Conservators (HWCC) (Ref: PHD 093/05)	Leader	To enable HWCC to meet their commitments.

Pool Promoters Registration (Ref: PHD 099/05)	Environment and Transport	To enable the Council to meet the needs of a key local business and to enable their application to be made and considered as soon as reasonably practicable. To avoid the potential for negative impact on their business and potential challenge to the Council.
Affordable Housing SPD (Ref: PHD 100/05)	Planning, Development and Housing	To enable the document to be placed on four week statutory public consultation from 2 March 2006.
Award of Contract for Banking Services (Ref: PHD 101/05)	Leader	In order to allow the ten-day statutory period between notifying bidders of the proposed award and entering into a contract so as to enable the contract to commence from 1 April 2006.
Award of Contract for Debit and Credit Card Services (Ref: PHD 102/05)	Leader	In order to allow the ten-day statutory period between notifying bidders of the proposed award and entering into a contract so as to enable the contract to commence from 1 April 2006.
Capital Budget Virements – February 2006 (Ref: PHD 103/05)	Business Connections and Performance	In order to provide sound management of the Capital Programme in the implementation of the Council's Corporate Priorities and to ensure a robust and transparent budget process.

<p>Review of fee rates for older people in residential and nursing care placed under spot contracts from 1 April 2006 until 31 March 2007 (Ref: PHD 105/05)</p>	<p>Leader</p>	<p>In order to apply the fee rates with effect from 1 April 2006.</p>
<p>Street Collection Applications for 2006 (Ref: PHD 112/05)</p>	<p>Communications, Partnership and Human Resources</p>	<p>In order to allow the Barts and the London Students' Association to hold a street collection on 8 May 2006 during their 'Rag Week' and to allow them to apply for a permit after the Council had agreed to sponsor their application.</p>

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**ITEM 16**

**ORDINARY COUNCIL  
27 APRIL 2006**

**MEMBERS RETIRING FROM THE COUNCIL**

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Members whom it is understood are retiring at the forthcoming Borough Elections on 4 May 2006

<u>Councillors</u>	<u>Service (Years)</u>	<u>Ward</u>	<u>Political Group</u>
Raymond Arnold	4	Rayners Lane	Conservative
Alan Blann	6	Wealdstone	Labour
John Branch	12	Harrow Weald	Liberal Democrat
Cyril Harrison	9	Wealdstone	Labour
Mark Ingram	8	Roxbourne	Independent
Mike Kinsey	4	Greenhill	Labour
Adrian Knowles	8	Hatch End	Conservative
Adam Lent	4	Edgware	Independent
Paddy Lyne	16	Harrow Weald	Liberal Democrat
Marie-Louise Nolan	4	Wealdstone	Labour
Adrian Pinkus	4	Belmont	Conservative
Stephen Thornton	4	Harrow Weald	Liberal Democrat
Keith Toms	32	Kenton East	Labour
Gordon Williams	4	Pinner South	Independent

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