
REPORT OF CABINET

MEETING HELD ON 4 OCTOBER 2006

Chairman: * Councillor Chris Mote

Councillors: * David Ashton * Janet Mote
 * Marilyn Ashton * Paul Osborn
 * Miss Christine Bednell † Mrs Anjana Patel
 * Mrs Kinnear * Eric Silver

* Denotes Member present

† Denotes apologies received

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

85. **Declarations of Interest:**

RESOLVED: To note that the following interests were declared:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
20a. Urgent item – Progress on Unitary Development Plan Site 6: Harrow on the Hill Station and	Councillor Mrs Kinnear	The Member declared a personal interest in that she lived on the edge of the town centre. She would remain in the room whilst these matters were considered and voted upon.
22. Key Decision - Harrow College and Town Centre Redevelopment	Councillor Eric Silver	The Member declared a personal interest in that he had a business on the edge of the town centre. He would remain in the room whilst these matters were considered and voted upon.
	Councillor Navin Shah	The Member, who was not a member of Cabinet, declared a personal interest in that he lived on the edge of the town centre. He would remain in the room whilst these matters were considered and voted upon.
	Councillor Paul Scott	The Member, who was not a member of Cabinet, declared a personal interest in that he lived on the edge of the town centre. He would remain in the room whilst these matters were considered and voted upon.
22. Key Decision - Harrow College and Town Centre Redevelopment	Councillor Bill Stephenson	The Member, who was not a member of Cabinet, declared a personal interest in that he was a local authority appointed governor of the College. He would remain in the room whilst this matter was considered and voted upon.

86. **Minutes:**

RESOLVED: That (1) the minutes of the Special Cabinet meeting held on 4 September 2006, having been agreed subject to an amendment on 14 September, be signed as a correct record;

(2) the minutes of the meeting held on 14 September 2006, be taken as read and signed as a correct record.

87. **Arrangement of Agenda:**

During the course of the meeting, the Chairman indicated that he was prepared to consider item 20a, Progress on Unitary Development Plan Proposal Site 6, as a matter of urgency and which had been circulated on the supplemental agenda. Members were asked to consider the report to enable the outcome to be reported to the Learning and Skills Council when it considered Harrow College's funding bid in October 2006.

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

<u>Item</u>	<u>Reason</u>
21. Key Decision – Voluntary Aided Hindu Primary School: Use of William Ellis Playing Fields	The report contained exempt information under paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972 (as amended) in that it contained information in relation to the financial or business affairs of a particular person (including the authority holding that information).
22. Key Decision – Harrow College and Town Centre Redevelopment	The report contained exempt information under paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972 (as amended) in that it contained information in relation to the financial or business affairs of a particular person (including the authority holding that information).

88. **Petitions:**

RESOLVED: To note that no petitions had been received.

89. **Public Questions:**

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

1.

Questioner: Howard Bluston

Asked of: Councillor Chris Mote, Leader of the Council and Portfolio Holder for Strategic Overview and External Affairs

Question: "The development of Harrow Town Centre is of paramount importance to the future of Harrow and also its viability, compared with other local shopping centres, prior to the 2012 Olympics.

Now that the Town Centre Manager has resigned, what provisions are being made for her successor and what concrete measures are being made to ensure development of the Post Office site now that Dandara's plans have been deemed unacceptable?"

[Notes: (i) In accordance with Executive Procedure Rule 16.3, Councillor Mote arranged for the Portfolio Holder for Property, Housing Planning (Development) and Planning (Strategic) to answer the question on his behalf;

(ii) under the provisions of Executive Procedure Rule 16.4, the questioner asked a supplementary question which was additionally answered].

90. **Councillor Question Time:**

RESOLVED: To note that no Councillor Questions had been received.

91. **Forward Plan 1 October 2006 - 31 January 2007:**

RESOLVED: To note the contents of the Forward Plan for the period 1 October 2006 – 31 January 2007.

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

RESOLVED: To note that no reports had been received.

93. **Budget Review Working Panel:**

RESOLVED: That (1) the Budget Review Working Panel be disestablished as an Advisory Panel of the Council;

(2) it be noted that an informal Group would be convened on an ad hoc basis.

Reason for Decision: To facilitate informal private discussion on matters due to be submitted to Cabinet.

94. **Key Decision - Medium Term Budget Strategy:**

The Director of Financial and Business Strategy introduced the report, which set out the context for the next medium term budget strategy, the current funding gap, some proposed budget principles, an update on the five strategic savings project and the next steps.

The Director of Financial and Business Strategy reported that Harrow was a low spending but high Council Tax authority and that this was due to the level of Government grants received. She advised that the scope to reduce spending was therefore limited. The Portfolio Holder for Business Development added that an approach had been made to the relevant Minister in relation to the low level of grant funding received by the Council.

The Portfolio Holder for Business Development advised that the proposed budget principles would be discussed with the Open Budget Panel and Budget Review Working Group. He added that any further progress would be reported to Cabinet in November 2006.

The Director of Financial and Business Strategy drew Members' attention to the tabled briefing paper in relation to comparative cemetery fees and advised that Harrow's were broadly in line with other boroughs.

RESOLVED: That (1) the factors that would influence the medium term budget for 2007-08 to 2009-10, the scale of the funding gap and the proposed next steps in the process be noted;

(2) the principles that would underpin the budget process detailed in paragraph 33 of the report of the Director of Financial and Business Strategy be approved;

(3) the new fees and charges for the cemetery be approved.

Reason for Decision: To ensure that Cabinet was fully engaged in the development of the new medium term plan.

(See also Minute 93).

95. **Key Decision - Voluntary Aided Hindu Primary School: Use of William Ellis Playing Fields:**

The Director of Planning Services introduced the report, which had been deferred from the meeting on 14 September 2006 pending negotiations on the site acquisition, and updated Members on the progress made on the negotiations with the I-Foundation, the promoters of the Hindu School. He drew attention to the Part II report, which had been circulated for Members' information only.

The Director of Planning Services advised that the report sought approval to an in principle decision in relation to the use of the site but that any decision made by Cabinet would also be subject to the grant of planning permission. The School Organisation Committee would also consider the proposal. A Member added that it was important to keep those schools in the vicinity of the site informed of progress.

The Portfolio Holder for Property, Housing Planning (Development) and Planning (Strategic) emphasised that in supporting the recommendations she wished to make it

clear that Members were considering policy issues and criteria against which any future planning application would be judged. She wished to make it clear that she was keeping a completely open mind about any later planning application, which would have proper planning consideration at the time. The Portfolio Holder added that there was, at this stage, no application and that Portfolio Holders were only concerned, as the Executive, in seeking to set down a policy framework for the possible redevelopment of this site.

The Chairman made reference to information that had been circulated anonymously to some Members of the Council and advised that all Members, including those forming the previous Administration, had taken this information into account when agreeing to support the I-Foundation bid.

RESOLVED: That (1) the use of approximately 5.5 acres of the William Ellis Playing Fields be agreed, in principle, for the development of a Voluntary Aided Hindu Primary School;

(2) subject to (1) above, a lease with Belmont Football Club be negotiated for the remaining approximate 5.5 acres on terms to be agreed.

Reason for Decision: To facilitate the development of a Hindu School in the Borough.

(See also Minute 105).

96. **Key Decision - Byron Recreation Ground Improvement Proposals and Disposal of Development sites:**

The Director of Planning Services introduced the report, which set out a coordinated and corporate approach to the improvement and development of Byron Recreation Ground and the neighbouring Unitary Development Plan sites, taking account of Council service requirements and value for money.

The Portfolio Holder for Property, Housing Planning (Development) and Planning (Strategic) emphasised that in supporting the recommendations she wished to make it clear that Members were considering policy issues and criteria against which any future planning application would be judged. She wished to make it clear that she was keeping a completely open mind about any later planning application, which would have proper planning consideration at the time. The Portfolio Holder added that there was, at this stage, no application and that Portfolio Holders were only concerned, as the Executive, in seeking to set down a policy framework for the possible redevelopment of this site.

The Portfolio Holder for Issues facing People with Special Needs welcomed the confirmation of £10m Private Finance Initiative funding from the Department of Health for three Neighbourhood Resource Centres.

RESOLVED: That (1) the overall strategy for Byron Recreation Ground and adjacent development sites be agreed;

(2) it be noted that discussions with Leisure Connection regarding the future of the Leisure Centre and options would be reported to Cabinet in due course;

(3) the improvement to Byron Recreation Ground to Green Flag standard be agreed, in principle;

(4) the funding of Byron Recreation Ground improvements from receipts be agreed, in principle, the capital sum to be agreed following a further report on costs necessary to bring the Recreation Ground up to Green Flag standard;

(5) the location of the proposed Neighbourhood Resource Centre and Learning Disability Residential scheme to replace 79 Bessborough Road be agreed;

(6) the sale of the Parks Depot and Former Mortuary site for residential development be agreed and the Executive Director (Urban Living) be authorised to market the property and conclude a disposal at best consideration;

(7) the appropriation of land at Christchurch Avenue (PS 29) (as identified on the plans attached at Appendix 2 to the report of the Director of Planning Services) under section 122 of the Local Government Act 1972 to facilitate development be agreed.

Reason for Decision: To agree a coordinated and corporate approach to the various development and improvement proposals in the area.

97. **Business Incubation Management Company - Innovation and Acceleration in Harrow and West London:**

The Director of Planning Services introduced the report, which sought approval to the principle of supporting the incubation of new businesses through this new entity. He advised that early development work would be carried out by the University of Westminster and Harrow in Business, in consultation with the Council.

RESOLVED: That (1) the development of business incubation in the Borough should be predicated by setting up an incubation management company with the University of Westminster and Harrow in Business;

(2) the principle of supporting the incubation of new businesses through this new entity be approved;

(3) responsibility for establishing the company be delegated to the Director of Planning Services, who would keep the relevant Portfolio Holder informed of progress.

Reason for Decision: To enable work to start on developing incubation in Harrow.

98. **Harrow Economic Development and Regeneration Review: Towards an Enterprise Strategy:**

The Director of Planning Services introduced the report, which sought the endorsement of the principles of the new Harrow Economic Development and Regeneration Review and the realignment of the functions of Harrow in Business and tourism.

RESOLVED: That (1) the principles of the Harrow Economic Development and Regeneration Review be accepted;

(2) a revised economic development strategy, which focussed on enterprise, be developed;

(3) the opportunity to realign the functions of Harrow in Business and tourism into strategic planning and economic regeneration be approved.

Reason for Decision: In the longer term, the final strategy would mean that the Council and partners would provide a more supportive environment for businesses to operate and grow in the Borough.

99. **Greater London Authority - Government Proposals for Additional Planning Powers:**

The Director of Planning Services introduced the report, which set out the recommendations from the Strategic Planning Advisory Panel in relation to the Government's proposals for additional planning powers. He advised that the Panel had expressed concern in relation to the extension of the Mayor for London's powers.

The Chairman advised that the Association for London Government was putting forward an all-party motion in relation to the proposals and that he would be submitting a motion on this issue to Council on 19 October 2006.

RESOLVED: That the comments set out in the report of the Director of Planning Services considered by the Strategic Planning Advisory Panel, and amended in accordance with their views, be agreed and forwarded to the Department for Communities and Local Government and the Association of London Government.

Reason for Decision: To ensure that the Council's views were made known to Government.

100. **Housing and Planning Delivery Grant - Government Proposals for Additional Planning Powers:**

The Director of Planning Services introduced the report, which set out the recommendations from the Strategic Planning Advisory Panel in relation to the Housing and Planning Delivery Grant and the Government's proposals for additional planning powers. He advised that the Panel had expressed concern in relation to the potential loss of funding.

RESOLVED: That the comments set out in the report of the Director of Planning Services considered by the Strategic Planning Advisory Panel, and amended in accordance with their views, be forwarded to the Department for Communities and Local Government and the Association of London Government.

Reason for Decision: To make the Government aware of the Council's views.

101. **Delegated Authority in respect of Licensing of Houses in Multiple Occupation:**
The Executive Director (Urban Living) introduced the report and outlined the purpose of the licensing arrangements.

RESOLVED: That (1) the Executive Director (Urban Living) be delegated the power to determine (approve not refuse) applications for the Licensing of Houses in Multiple Occupation under Part 2 of the Housing Act 2004;

(2) in respect of the delegation in (1) above, the Executive Director (Urban Living) be authorised to further delegate the power to other Council officers;

(3) the power to refuse applications for the Licensing of Houses in Multiple Occupation under Part 2 of the Housing Act 2004 be delegated to the Portfolio Holder for Property, Housing Planning (Development) and Planning (Strategic).

Reason for Decision: The proposed delegations were consistent with best practice in decision making and making Harrow a safe, sound and supportive environment.

102. **Key Decision - Review of Waste Management:**

The Executive Director (Urban Living) introduced the report, which reviewed the planning and implementation of the waste management scheme, identified problem areas and suggested areas for further improvement/refinement. Options for future development were also set out in the report.

The Executive Director (Urban Living) reported that the new collection arrangements had been introduced on 3 July 2006 and that, from the outset, there had been inconvenience and disruption. He offered his apologies to Cabinet, Councillors and customers for the inconvenience and thanked all members of the public realm team who had dealt with the problems in the excessive hot weather. He also expressed his gratitude to colleagues within Access Harrow who had dealt with in excess of 35,000 calls from customers following the introduction of the new arrangements.

An officer advised that the report should be considered in conjunction with the joint waste strategy, which appeared elsewhere on the agenda for the meeting. He reported that the Government had set a recycling target of 40% by 2010 and that since 3 July 2006, 25,000 green boxes and 2,000 compostors had been delivered to Harrow residents. The officer added that the Development Control Committee were actively asking questions in relation to waste/recycling.

An officer advised Members on the key operational issues that had arisen since the introduction of the new arrangements, which included the reorganisation of collection rounds, frequency of collection and the introduction of compulsory recycling. He reported that the overall contact volume had been a major issue and that, in hindsight, it might have been better to phase in the new arrangements. Lessons had been learnt and he advised that, in future, such changes would be trialed in the first instance. He added that the response from residents in relation to the amount of recycling had been exceptional.

The Portfolio Holder for Urban Living – Public Realm stated that it was important to use and learn from best practice and referred to the increased number of assisted collections and the potential benefits of a computerised system to record complaints. She advised that Unison had submitted comments in relation to the report and these had been taken into consideration and were tabled for Members' information. She also expressed her thanks to the crews for their hard work and to the residents of Harrow for their recycling efforts.

The Chairman reiterated his statement made at a previous meeting of Cabinet that abuse of Council staff would not be tolerated and action would be taken against individuals as appropriate.

The Portfolio Holder for Urban Living – Public Realm moved an additional recommendation and it was

RESOLVED: That (1) frequency of collection be weekly Brown Bin and alternate week Waste Bin;

(2) there be further consideration of restriction on the number of Waste Bins – subject to compulsory recycling and a waste audit and that second, and subsequent bins be subject to a one-off charge of £80;

(3) the weekly collection of Brown Bins be retained over the winter period;

- (4) the collection of Waste Electronic and Electrical Equipment and textiles on Green Box vehicles be ceased;
- (5) a charity partner to collect textiles from households be sought;
- (6) agreement with Materials Recycling Facility operator for the acceptance of co-mingled Green Box waste be sought;
- (7) there be an operational trial co-mingled collection of dry recyclables from November 2007 on two Green Box rounds (out of 12), that is, in 11,000 households;
- (8) if (7) above is successful, the remaining ten rounds be converted to co-mingled collection in December 2006/January 2007;
- (9) there be an operational trial Blue (wheeled) bins in February/March 2007 in one round (11,000 households);
- (10) the Blue Bins be rolled out across Borough from April to November 2007, subject to provision of capital funding;
- (11) the revised Service Aims detailed in Section 2.1 of the report of the Executive Director (Urban Living) be adopted;
- (12) the policy to supply all new bins with RfiD tags be confirmed;
- (13) the Council send a letter to the Department for Communities and Local Government/DEFRA/Mayor for London on the production of packaging by supermarkets
- (14) future publicity material be cleared by the Portfolio Holder for Urban Living - Public Realm;
- (15) the details of real nappy grant payment be amended;
- (16) the proposed post of Nappy Officer be deleted;
- (17) the position be kept under review and a further report be submitted to Cabinet in the new year.

Reason for Decision: The Council would increase its recycling rate in line with the proposals in the West London Waste Authority joint waste strategy, achieve its statutory target for 2005/6 and reduce its future liabilities under the Landfill Allowance Trading Scheme.

(See also Minute 103).

103. **Key Decision - West London Waste Authority - Joint Waste Strategy:**

An officer introduced the report, which sought agreement to the joint waste strategy. He advised that there was an update in terms of the content of the report in that the Mayor for London had not yet lifted the Direction on the West London Waste Authority (WLWA) that prevented it seeking alternative waste treatment arrangements for the disposal of 150,000 tonnes of waste. If this were not to be lifted, WLWA and the six constituent authorities would be at significant risk of incurring substantial Landfill Allowance Trading Scheme costs in the future.

The Portfolio Holder for Public Realm – Urban Living confirmed that she had requested that the General Manager of West Waste write to the Mayor for London in relation to his Direction as there would be significant financial implications for Harrow and the five other constituent boroughs in 2010 should it remain in place.

RESOLVED: That (1) the Joint Waste Strategy be approved;

(2) environmental assessment of the joint strategy under the Environmental Assessment of Plans and Programmes Regulations 2004 was not feasible and that this determination be notified to the public on the Council's website.

Reason for Decision: The agreement of Harrow and the other five constituent authorities would allow the West London Waste Authority to proceed with the procurement of alternative disposal and treatment facilities for the West London area.

(See also Minute 102).

104. **Urgent Item - Progress on UDP Proposal Site 6: Harrow on the Hill Station:**
The Director of Planning Services introduced the report, which set out the recommendation of the Town Centre Project Panel in relation to the progress on the Harrow on the Hill Station site.
- The Portfolio Holder for Property, Housing Planning (Development) and Planning (Strategic) emphasised that the Executive was considering policy issues and that she was keeping an open mind in relation to planning permission considerations.
- The Chairman acknowledged receipt of a letter from the Leader of the Labour Group and advised that his comments had been taken on board.
- RESOLVED:** That (1) all developments within the proposal site 6 (PS6) site should contribute to the delivery of the key objective of a new transport hub for the Borough; contributions were likely to be both financial through a Section 106 Agreement and, where necessary, in the form of land;
- (2) the provision of improved public transport infrastructure should be the Council's primary objective and, where necessary, take priority over other policy considerations;
- (3) contributions from individual sites would be determined on the basis of the estimated overall cost of public transport improvements together with an economic appraisal of the appropriate level of contribution;
- (4) the progress made in discussions with Harrow College, Transport for London/Metronet, Quintains and Dandara, as set out in the Director of Planning Services' report, be noted;
- (5) formal representations be made to Transport for London/Metronet on the need for comprehensive proposals to make Harrow on the Hill Station fully accessible
- Reason for Decision:** To ensure that the Council's primary objective of securing a step change in public transport was achieved.
- (See also Minutes 85 and 106).
105. **Key Decision - Voluntary Aided Hindu Primary School: Use of William Ellis Playing Fields:**
Members considered a confidential report of the Director of Planning Services in relation to the Hindu Primary School.
- The Portfolio Holder for Property, Housing Planning (Development) and Planning (Strategic) emphasised that the report before Members did not relate to planning permission.
- Members discussed the issues in relation to the disposal of the site and suggested a number of provisos.
- RESOLVED:** That, subject to the provisos suggested by Members, the terms and conditions for disposal as set out in Section 2 in the report of the Director of Planning Services be agreed.
- Reason for Decision:** To enable the proposal for a voluntary aided Hindu School to proceed.
- (See also Minute 95).
106. **Key Decision - Harrow College and Town Centre Redevelopment:**
Members considered a confidential report of the Director of Planning Services in relation to Harrow College and the town centre redevelopment. The Director of Planning Services drew Members' attention to tabled revised recommendations, which had been prepared following discussions with the Council's legal advisers and the College.
- RESOLVED:** That (1) Harrow College be informed of the agreement, in principle, to their request for support of their proposals to allow the College to build on part of the Lowlands Recreation Ground (Metropolitan Open Land) broadly as set out in the College's bid to the Learning and Skills Council;
- (2) Harrow College be informed of the agreement, in principle, to an exchange of land between the College and the Borough to facilitate the College's development;

(3) resolutions (1) and (2) above be subject to

- (i) planning permission;
- (ii) detailed consideration of the heads of terms for any transfer and agreement regulating the use of the land following the principles set out in paragraph 2.2 of the Director' of Planning Services' report;
- (iii) a contribution of £5m towards the cost of the public transport infrastructure;
- (iv) an overage agreement based on financial appraisal at the time of disposal of the College's land at Lowlands Road for housing;
- (v) flexibility on the Council's part to reduce the normal affordable housing requirement, where necessary, to ensure that the public transport contribution could be delivered;
- (vi) involvement of both Transport for London and Quintains (owners of the Station car park) in determining a final boundary for the land exchange.

Reason for Decision: To enable a formal response to Harrow College's request.

(See also Minutes 85 and 104).

(Note: The meeting, having commenced at 7.30 pm, closed at 8.56 pm).

(Signed) COUNCILLOR CHRIS MOTE
Chairman